

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9300 of 2020

- Sonu @ Laxman Chelak S/o Late Mangla Chelak Aged About 27 Years R/o Mahasati Ward, Bhatapara, P.S. And Tahsil Bhatapara District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Bhatapara Urban, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

--Non-Applicant

For Applicant	: Shri Ravindra Sharma, Advocate
For Non-Applicant/State	: Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

01/02/2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested on 12.9.2020 in connection with Crime No.359/2020, registered at Police Station- Bhatapara Uran, District Baloda Bazar- Bhatapara(C.G.) for the offence punishable under Sections 294, 506, 307/34 of the IPC.
2. Case of the prosecution is that the complainant- Suresh Kumar Gendre lodged a report that on 11.9.2020, the applicant along with other co-accused persons were smoking weeds near his house and when he objected, they made assaulted him and caused grievous injuries on his head, neck and back with wooden stick and sword. Based on this, an offence has been registered against the applicant and he was arrested.

3. Learned counsel for the applicant submits that the allegations against the applicant are false and fabricated and he has been falsely implicated in the case. He submits that on account of old dispute, the complainant has implicated the applicant in the present case. He submits that charge sheet has been filed and no offence is made out against the applicant under the above mentioned Sections of the IPC, therefore, at this stage, he may be granted bail.
4. On the other hand, learned counsel for the Non-Applicant/State opposes prayer for grant of bail. He submits that the complainant has received grievous injuries.
5. Having considered the submission made by learned counsel for the parties and looking to the nature of injuries caused by the applicant along with other co-accused persons on the vital parts of the body of the complainant i.e. stab wound on the spinal region, incised wound on neck and lacerated wound on right side of cheek, I am not inclined to grant bail to the applicant.
6. Accordingly, the bail application is dismissed.

Sd/
(Gautam Chourdiya)
Judge