

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6142 of 2023

- Aniket Gajbhiye (Nanu) S/o- Sanjay Gajbhiye, aged about 25 years, Occupation Labour, R/o- Mamtanagar, Gali No. 5, Police Station- City Kotwali, Rajnandgaon, District : Rajnandgaon, CG

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Kotwali, Rajnandgaon, District : Rajnandgaon, Chhattisgarh

---- Respondent

 For Applicant : Mr. Purnendu Khichariya, Adv.
 For respondent/State : Mr. Dinesh Tiwari, Govt. Adv.

Hon'ble Shri Justice Naresh Kumar Chandravanshi

Order on Board

31-10-2023

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 23-4-2023 in connection with Crime No. 273/2023 registered at Police Station Kotwali, Distt. Rajnandgaon (C.G.), for the offence punishable under Section 307, 147 of the IPC and Section 25 and 27 of the Arms Act.
2. Allegation against the applicant is that on 22-4-2023, applicant assaulted Mohd. Tahir by knife and other co-accused assaulted him by wooden stick, hand and fists. Based on above facts, the present crime has been registered.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The injuries caused to the victim is not on vital part of body and it was not grievous in nature. He would further submit that applicant is in jail since 23-4-2023, charge sheet has been filed, hence the applicant may be enlarged on bail.
4. On the contrary, learned State counsel opposes the application for grant of bail and submits that apart from present case, 6 more criminal cases of Chakubaji have also been registered

against the applicant, which shows that applicant is a habitual offender.

5. Heard learned counsel for the parties and perused the material available on record and on the case diary.

6. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, considering the gravity of the offence, and further considering the 6 more cases of chakubaji have also been registered against the applicant, as submitted by learned State counsel, I do not feel inclined to release the applicant on bail.

7. Accordingly, the bail application is rejected. However, the trial Court is directed to conclude the trial as early as possible.

**Sd/-
(Naresh Kumar Chandravanshi)
JUDGE**

Pathak/-