

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2858 of 2015**

Goutam Singh, S/o Gopal Singh, aged about 25 years, Caste-Rajput, R/o- Village-Chhuiya, Post Office & Police Station -Mainpur, District Gariyaband (C.G.)

---- Applicant

Versus

State Of Chhattisgarh, through the Station House Officer, Police Station – Mainpur, District Gariyaband.

---- Non-applicant

For Applicant: Shri Shivendu Pandya, Advocate.

For Non-Applicant Shri Suvigya Awasthy, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board**06/07/2015**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 36/2015 registered at Police Station Mainpur, District Gariyaband for the offences punishable under Sections 294, 506 (B) & 307 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the applicant is said to have assaulted his aunt – Mohini Bai by wooden stick, by which, she suffered grievous injuries, which was sufficient to cause her death.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as there is dispute of landed dispute between the applicant and his aunt. He further submits that applicant is in jail since 30.03.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the non-applicant/State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the nature of injuries suffered by the victim/complainant; relationship between the parties; and the facts that applicant is in jail since 30.03.2015; and the charge sheet has already been filed ; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)

Judge

D/-