

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 3061 OF 2015**

Gulshan Dhruv aged 45 years, S/o Bahur Dhruv, R/o Vil: Faloud Dhruv Para,
P.S. -Mandir Hasoud Civ. & Rev. Dist- Raipur (C.G.)

(Details/age not/ wrongly mentioned completely in the order sheet)

---Applicant**Versus**

State of Chhattisgarh Through: PS Mandir Hasoud, Civ: & Rev: Dist: Raipur
(C.G.)

---Non-applicant

For Applicant	:	Mr. Devershi Thakur, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/07/2015**

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 in connection with Crime No. 45/2015, registered at Police Station Mandir Hasoud, Dist: Raipur (C.G.), for the offence punishable under Sections 307, 34 I.P.C. & under Sections 25, 27 of Arms Act.

2. Case of the prosecution, in brief, is that present applicant along with three other co-accused persons assaulted complainant- Gopi Chaturvedi by sword/rod, by which, he suffered grievous injury, which was sufficient to cause death.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the offence in question, in fact he and co-accused (his son) Raja Dhruv were witnessed to

the incident. He would further submit that nothing has been seized from the possession of applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 23/02/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that nothing has been seized from the possession of present applicant.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question; pretrial detention of the applicant and charge sheet has been filed, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE