

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2961 of 2015**

- Aknath Dhimar S/o Late Bhuneshwer Dhimar , aged About 26 years R/O Village Banspai Para, Police Station Kotwali Rajnandgaon, Tah. And District Rajnandgaon Chhattisgarh Civil And Rev. Distt. Rajnandgaon.

---- Petitioner

Versus

- State Of Chhattisgarh Through Police Station Kotwali Rajnandgaon Teh. And District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant:	Shri Vishnu Kosta, Advocate.
For Respondent/State	Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****30/06/2015**

Heard.

(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.284/2015 registered at Police Station Kotwali, Rajnandgaon for the offences punishable under Sections 307, 452, 294 & 506/34 of the Indian Penal Code and Section 25 of the Arms Act.

(2) Case of the prosecution, in brief, is that on 20.4.2015 applicant & another co-accused assaulted complainant – Mahendra @ Meghnath by sharp edged weapon, as a result of which, he suffered grievous injuries which were sufficient to cause his death.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as the complainant is staying with his legally wedded wife and in order to avoid any legal complications, the applicant has implicated in the offence in question. He further submits that applicant is in jail since 16.05.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that sharp edged weapon, which was used in the said offence, has been recovered from the possession of the applicant.

(5) Taking into consideration the facts & circumstances of the case and further considering the role of the present applicant in the crime in question and considering the strange relationship between the parties; and considering the pre trial detention of the applicant; this Court is of the opinion that present is the fit case, in which, applicant should be enlarged on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of ₹ 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.

(7) Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-