

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 2973 OF 2015**

Ravi Kumar Netam son of Shiv Kumar Netam, aged about 28 years, resident of near Government School, Kailash Nagar, Durg, Police Station Mohan Nagar, Tahsil and District Durg (C.G.)

---Applicant**Versus**

State of Chhattisgarh Through : Station House Officer, Police Station Mohan Nagar, Tahsil and District Durg (C.G.)

---Non-applicant

For Applicant	:	Mr. B.P. Singh, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

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. 509/2014, registered at Police Station Mohan Nagar, Tahsil and District Durg (C.G.), for the offence punishable under Section 307/34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that on 23/10/2014 present applicant caused burn injury to complainant- Ramnath Yadav, which was sufficient to cause his death.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated as complainant outraged the modesty of her sister, against which, FIR No. 244/11 dated 08/05/2011 has been registered at Police Station Mohan Nagar, Durg and a

criminal case is pending consideration against the applicant herein and as a counter blast such a false case has been registered against the applicant. He would further submit that charge sheet has been filed and applicant is in jail since 05/05/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; criminal case has been registered by the applicant against the complainant being FIR No. 244/2011 dated 08/05/2011; 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