

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3065 of 2015**

Vivek Pandey S/o Shri Kishore Pandey Aged About 28 years R/o
Behind The Rewadi Factory, Gali No.5, Telibandha, Post Office-
Raipur, Police Station- Telibandha, Raipur, Tahsil & District- Raipur,
Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through: The Station House Officer, Police
Station- Telibandha, Raipur, Tahsil & District- Raipur, Chhattisgarh

---- Respondent

For Applicant:	Shri Shivendu Pandya, Adovocate.
For Respondent/State:	Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****02/07/2015**

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. 23/2015 registered at Police Station Telibandha, Raipur, District Raipur for the offences punishable under Sections 279, 337 & 304 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is said to have caused the death of Nandan Singh Routela (since deceased) by driving the Innova Car bearing registration No.CG/04/KZ/0777 rashly and negligently and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the crime in question as he has not committed any offence; and the accident had occurred due to busting of tier of the said Innova. He further submits that applicant is in jail since 28.02.2015; charge sheet has already been filed against the applicant and, therefore, he may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, further considering the nature & gravity of the offence; and the facts that applicant is in jail since 28.02.2015; 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/-