

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3273 of 2015**

- Santosh Yadav, S/o Lakhan Yadav, Aged about 45 years, Resident of village-Aajad Chowk Patan, Police-Station & Tahsil – Patan, District Durg (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through, it's Police Station – Patan, (As per charge-sheet), District – Durg (C.G.)

---- Respondent

For Applicant: Shri Rekhraj Baghel, Advocate.

For Respondent/State: Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/07/2015**

Heard.

(1) The accused/applicant has preferred 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. 108/2014 registered at Police Station Patan, Civil & Revenue Distt.- Durg for the offences punishable under Sections 294, 506-B, 323 & 307 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant is alleged to have assaulted complainant – Nohar Yadav, by which he suffered grievous injuries, which were sufficient to cause his death and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the crime in question as he has not committed any offence; and the injuries suffered by the victim/complainant are simple in nature. He further submits that applicant is in jail since 20.04.2015; 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 opposes the bail application.

(5) Considering the totality of the facts, in particular, the facts that applicant is in jail since 20.04.2015; 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/-

