

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3926 of 2015**

Jugna @ Jaleshwar Prasad Jangde, S/o Chainu @ Pundas Jangde, S/o Chainu @ Pundas Jangde, Aged about 47 years, R/o Village -Pendri Talab, P.S. Lalpur, District Mungeli (C.G.)

---- Applicant

Versus

State Of Chhattisgarh: Through Station House Officer,
Police Station – Lalpur, District Mungeli (C.G.)

---- Non-applicant

For Applicant: Mr. Anish Tiwari, Advocate.

For Respondent/State: Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****11/08/2015**

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.244/2014 registered at Police Station Lalpur, Distt. Mungeli, for the offences punishable under Sections 294, 452, 506-II, 307 & 201 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 2.11.2014 applicant assaulted victim – Sukul Bharti by sharp edged weapon i.e. *tabbal*, by which, he suffered grievous injuries, which were sufficient to cause his death.

(3) Counsel for the applicant submits that five prosecution witnesses including victim have already been examined and they have not supported the case of the prosecution. He would further submit that the injuries suffered by the victim are simple in nature and, as such, the applicant is in jail since 3.11.2014; trial is on advance stage; and no custodial interrogation is required and, therefore, applicant may be released on bail.

(4) On the other hand, counsel for the State submits that the sharp edged weapon i.e. tabbal, has been seized from the possession of the applicant.

(5) Taking into consideration the facts & circumstances of the case; and the material collected by the prosecution; and the statement made by the victim before the court below and considering his pre-trial detention and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant 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 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.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-