

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3951 of 2015**

Raju @ Ramchandra Sahu, son of Shri Rohit Kumar Sahu, aged about 19 years, resident of Village Naktidih, Police Station Bilaigarh, District Balodabazar (C.G.) ---- **Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Bilaigarh, District Balodabazar ---- **Non-applicant**

For Applicant	:	Shri C.R. Sahu, Advocate
For Non-applicant	:	Ms. Anusuiya Rajput, Panel Lawyer for the State.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

17/08/2015

(1) Heard.

(2) 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 on 22.06.2015 in connection with Crime No.144/2015, registered at Police Station Bilaigarh, District Balodabazar, for the offence punishable under Sections 294, 506, 326 of the Indian Penal Code and Section 3(2)(iv) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989.

(3) Case of the prosecution, in brief, is that present applicant on 10.05.2015 assaulted the complainant Mahavir Chouhan giving bite injury by which he suffered fracture and also abused & threatened him to kill and, thereby, committed aforesaid offences.

(4) Learned counsel appearing for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 22.06.2015; and the charge-sheet has already been filed and no useful purpose will be served in keeping him in jail, therefore, the applicant may be released on bail.

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

(6) I have heard learned counsel appearing for the parties and perused the case diary.

(7) Taking into consideration the facts and circumstances of the case, nature and gravity of the offence; material collected by the prosecution and further considering the pre-trial detention of the applicant; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(8) 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.

(9) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-