

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4164 of 2015**

Geetaram Sahu, 45 Yrs., S/o Tikaram Sahu, R/o Vill.Puraina, PS-Takhatpur,
Distt.Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh, by SHO PS Takhatpur, Distt.Bilaspur

---Non-applicant

For Applicant	:	Mr. Raja Sharma, Advocate
For Non-applicant	:	Mr. Siddharth Rathore, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board**24/08/2015**

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.137/2015, registered at Police Station-Takhatpur, District-Bilaspur (C.G.), for the offence punishable under Section 307 of the IPC.
2. Case of the prosecution, in brief, is that the applicant is alleged to have assaulted complainant Shyamkali on 23.5.2015 by spade, by which she suffered grievous injuries, which were sufficient to cause her death and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that the injuries are simple in nature and the applicant is in jail since 29.7.2015, therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the injuries were grievous in nature and the complainant hospitalized for five days.

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; nature of injury; pre-trial detention of the applicant and the fact that substantive investigation has already been completed, 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

B/-