

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4309 OF 2015**

Asnath Yadav, son of Shri Santlal Yadav, aged 22 years, resident of Gram-Harda (Navagaon), Tehsil and P.S. Basna, District Mahasamundh (C.G.)

---Applicant

Versus

State of Chhattisgarh, through the Police Station Saraswati Nagar, Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Vivek Chopda, Advocate.
For-Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/08/2015**

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. 124/15 registered at Police Station Saraswati Nagar, Raipur, for the offence punishable under Sections 307, 364, 120-B, 34 of I.P.C.

2. Case of the prosecution, in brief, is that, co-accused persons along with present applicant assaulted brutally to the injured Vijay Kumar by which he suffered grievous injury which was sufficient to cause death and thrown his body.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant is taxi driver. He would further submit that there is no evidence to connect the applicant in offence in

question. He would lastly submit that applicant is in jail since 19/07/2015, therefore he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that present applicant carried accused persons along with injured and actively participated in crime in question.

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; role of the applicant in offence in question and material collected by the prosecution against the applicant, this Court is not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE