

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr. C No. 6681 of 2015**

- Nilesh Kumar Ekka, S/o Chhote Lal, aged about 27 years, resident of village- Kotaktal, Police Station Patna, Tahsil Baikunthpur, Revenue and Civil District Korea (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Patna, District Korea (C.G.)

---- Respondent

For Applicant: Shri P.K. Patel, Advocate.

For Respondent/State: Shri Varun Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****21/12/2015**

Heard.

(1) The accused/applicant has moved this second bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 126/2015 registered at Police Station Patana, District-Korea for the offences punishable under Sections 341,294,506,323,34,324,325 & 307 of the Indian Penal Code read with Section 34 of the Indian Penal Code.

(2) The applicant's first bail application was dismissed as withdrawn with liberty to repeat the same after charge-sheet is filed by order of this Court dated 05.10.2015 passed in M.Cr.C. No.5176/2015.

(3) Case of the prosecution, in brief, is that on 23-7-2015, the applicants assaulted Jaljeet @ Parasram by lathi by which they suffered grievous injuries on leg and suffered fracture which was sufficient to cause their death.

(4) Counsel for the applicant submits that now the charge sheet has already been filed; applicant is in jail since 12-08-2015; no custodial interrogation is required and as the trial is likely to take some time for its final disposal, the applicant may be released on bail.

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

(6) Taking into consideration the facts & circumstances of the case; further considering his pre-trial detention; charge sheet has already been filed; and the fact that 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 application is allowed.

(7) 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. She 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/-