

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7117 of 2015

- Devlal S/O Dhaneshwar Ram Aged About 35 Years Caste - Gond, Occupation - Driver, R/O Village - Nawapara, Police Station - Lundra, District Surguja Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through : The Incharge, Police Chowki - Morga, Police Station - Bango, District - Korba Chhattisgarh

---- Respondent

For the applicant	:	Mr. Ajay Kumar Pandey, Advocate
For the Respondent	:	Mr. Anupam Dubey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21.12.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 14/2015 registered at by Police Chowki, Morga, Police Station Bango, Distt. Korba (C.G) for the offence punishable under Sections 304, 279 and 337 IPC.
2. Case of prosecution, in brief, is that on 16.03.2015 the applicant was driving a Bus bearing Regn.No.15-A/7192 which was coming from Bishrampur to Korba. It is alleged that at about 9.30 due to rash and negligent driving of the applicant Devlal the bus which was carrying passengers struck against a Bridge as a result of which as many as 9 passengers died and other persons sustained injuries and thereafter, the applicant fled from the scene.
3. Learned counsel for the applicant submits that it appears to be an out and out accident as the persons who died were

passengers of the Bus and there was no intention to cause such death. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 17.04.2015, therefore, he prays for releasing the applicant on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. Having regard to the facts and circumstances of the case and looking to the nature of allegations and the way in which the offence is alleged to have been committed and further taking into fact that the charge sheet in this case has already been filed and and looking to the detention period of the applicant as he is stated to be in jail since 17.04.2015, this Court is inclined to release him on bail. Accordingly, this application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the said Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE