

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5283 of 2015

Chhannu Ram Som, S/o Alore Singh Som, aged about 28 years, R/o Village Kurishtikur (Awas Para), P.S. Korar, Civil & Revenue District North Bastar Kanker (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through P.S. Korar, District North Bastar Kanker (C.G.)

---- Non-applicant

For Applicant:	Mr. C.R. Sahu, Advocate.
For Non-applicant:	Mr. Neeraj Sharma, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/10/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.53/2015, registered at Police Station Korar, Distt. North Bastar Kanker, for the offence punishable under Section 304 Part-II of the IPC.
2. Case of the prosecution, in brief, is that on 8-6-2015, the applicant assaulted his minor daughter by stone by which she suffered grievous injury and died and thereby committed the offence punishable under Section 304 Part-II of the IPC.
3. Learned counsel for the applicant submits that accidentally, injury is said to have been suffered by the daughter of the applicant namely Kum. Ravina as such, there was no intention of the applicant to cause death and accidentally, the incident has happened. The applicant is in jail since 10-6-2015 and charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, the manner in which the death is said to have been caused, pretrial detention of the applicant and the fact that charge-sheet has already been filed, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge