

HIGH COURT OF CHHATTISGARH, BILASPUR

Misc. Criminal Case No.3414 of 2015

Ashok Tirkey, S/o Marshall Tirkey, aged about 24 years, Caste Uraon, R/o Padkona, Tahsil Manora, Distt. Jashpur (CG)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Asta, Distt. Jashpur (CG)

---- Non-applicant

For Applicant:	Mr. J.K. Saxena, Advocate.
For Non-applicant:	Mrs. Anusuiya Rajput, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

28/07/2015

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.3/2015 registered at Police Station Asta, Distt. Jashpur, for the offence punishable under Sections 341, 324, 506B and 307 of the IPC.
2. Case of the prosecution, in brief, is that the applicant is alleged to have caused grievous injury to injured Robert Kujur and his wife Agadha Kujur on 4-3-2015 which was sufficient to cause death.
3. I have heard learned counsel for the parties and perused the case diary.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case on account of estrangement. Charge sheet has already been filed. The applicant is neighbour of the injured persons and on account of suspicion that the applicant has damaged the utensils of the injured persons, false FIR has been lodged against him and he is in jail since 6-3-2015.

5. On the other hand, learned State counsel opposes the application.
6. Taking into consideration the nature and gravity of offence, role of the present applicant, nature of injuries, pre-trial detention of the applicant and the fact that charge sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. 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