

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3429 of 2015**

Ramanand Singh Thakur, S/o Santosh Singh Thakur, aged about 31 years, R/o Village – Uslapur, P.S. - Kotwali, Civil & Revenue District – Mungeli (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh Through: Station House Officer, Police Station Kotwali, Distt. Mungeli (C.G.)

---- Non-applicant

For Applicant:	Shri Awadh Tripathi, Advocate.
For Respondent/State:	Shri Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****29/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.264/2015 registered at Police Station – Kotwali, Distt. Mungeli for the offences punishable under Sections 147, 148, 149, 307,294,323 & 506/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that the present applicant and three other co-accused persons alleged to have assaulted complainant Manish Singh Dhawai, by which, he suffered grievous injuries, which were dangerous to life.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence; in-fact the offence under Section 307 IPC was inserted subsequently, it was not registered initially, in order to implicate the present applicant for the non-bailable offence. He further submits that applicant is languishing in jail since 30.06.2015; and the charge sheet is yet to be filed but substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits the injuries suffered by the victim are grievous in nature and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case and further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question; and considering his pre-trial detention and the fact that substantial investigation has already been made; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) 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. He 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/-

