

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6270 of 2015

1. Shiv Kukreja, S/o. Jotumal Kukreja, aged about 25 years, R/o. Samta Colony, P.S. - Azad Chowk, Raipur, Tahsil and District – Raipur (C.G.)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Police Station- Azad Chowk, Raipur, Tahsil and District – Raipur (C.G.)

---- Respondent

For Applicant	: Mr. C.R. Sahu, Advocate
For Respondent/State	: Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.130/2015, registered at Police Station – Azad Chowk Raipur, District – Raipur (C.G.) for the offence punishable under Section 307/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that, present applicant and two other co-accused persons administered poisonous substance to the complainant/injured, Kanwar Bagh by which, he suffered grievous injury which was sufficient to cause death.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that the applicant is in jail since 03.07.2015. He would further submit that similarly placed co-accused has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.5119/2015 vide order

dated 28.09.2015 and the allegation against this application is similar, therefore, he prays that the applicant is also entitled for bail.

4. On the other hand, learned counsel for the State opposes the bail application, however, do not dispute the fact that other co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Considering the fact that other co-accused has been enlarged on bail, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge