

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3152 of 2015**

Vishnu Gupta, S/o Lt. Shri Narayn Gupta, aged about-55 years, R/o. Bank Colony, Sanjay Nagar, P/s.- Chakradharnagar, Raigarh, Tahsil/Civil and Revenue District Raigarh (C.G.)

Versus

State Of Chhattisgarh Through S.H.O. Of the Police Station -Chakradhar Nagar, Raigarh (C.G.)

---- Respondent

For Applicant:	Shri Abhishek Saraf, Advocate.
For Respondent/State:	Shri Ramakant Mishra, Deputy Advocate General.

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

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. 95/2015 registered at Police Station Chakradhar Nagar, Distt. Raigarh for the offence punishable under Section 307 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that, the applicant is alleged to have assaulted complainant/victim Sumeet Tiwari on 2.4.2015 by sharp edged weapon, as a result of which, he suffered grievous injuries, which were sufficient to cause his death, and, thereby,

committed the aforesaid offence.

(3) Counsel for the applicant submits that the applicant has falsely been implicated in the offence in question as he has not committed any offence; and the injuries suffered by the victim are simple in nature. He further submits that applicant is in jail since 3.4.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State submits that the complainant/victim has suffered three incised wounds and remained hospitalized for 14 days and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; further considering the nature of injuries suffered by the victim; his detention period; and the facts the charge sheet has already been filed; 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/-

