

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC NO. 3686 of 2015**

Amar Das S/o Lakshan Das, aged about 50 years, R/o Village – Pasniya,
Police Station – Kotwali Korba, Tahsil – Korba, Civil and Revenue District –
Korba Chhattisgarh

---Applicant**Versus**

State of Chhattisgarh, Through – Station House Officer, Police Station –
Kotwali Korba, District – Korba (CG)

---Non-applicant

For Applicant	:	Mr.Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr.Qamrul Aziz, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/08/2015**

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.210 of 2015, registered at Police Station Kotwali, District- Korba (CG), for the offence punishable under Sections 341, 326 and 506B of the IPC.

2. Case of the prosecution, in brief, is that present applicant has allegedly assaulted Tulsi Das Mahant on 10.5.2015 by axe and wrongfully confined him and also threatened him and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. The applicant and the injured are cousins and as such, there is family dispute,

there is no intention to cause injury to the injured, he is in jail since 26.5.2015, charge-sheet has already been filed and no custodial interrogation is required.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is the 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 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/-

(Sanjay K. Agrawal)
JUDGE

B/-