

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4301 OF 2015**

Lalaram Sen S/o Ranbharosa Sen Aged about 66 years, Resident of Murra-
bhatthi Gandhinagar, Police Station Gudhiyari Raipur, District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh Through it's, Police Station Ganj Raipur District Raipur
(C.G.)

---Non-applicant

For Applicant	:	Mr. B. L.Sahu, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/08/2015**

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. 48/2015, registered at Police Station Ganj, Civil & Revenue Dist. Raipur (C.G.), for the offence punishable under Sections 448-3, 324(2) & 307 of I.P.C.

2. Case of the prosecution, in brief, is that, on 30/04/2015 applicant assaulted injured Bharat Janghel by knife and also thrown Chilly powder in his eyes by which he suffered grievous injury which was sufficient to cause death.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and on account of previous enmity, he has been falsely implicated in offence in question. He would further submit that no custodial interrogation is required. He would lastly submit that charge sheet

has been filed and applicant is in jail since 08/04/2015, therefore, he may be released on bail.

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 applicant in offence in question; charge sheet has already been filed and pretrial detention of the applicant, 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