

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4345 of 2015**

Nanku Ram, son of Lagan Ram, aged about 55 years,
resident of Village – Chungadi, Police Station – Bhatgaon,
Tahsil – Bhaiyathan, District – Surajpur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through: Station House Officer,
Police Station – Bhatgaon, District – Surajpur (C.G.)

---- Non-applicant

For Applicant:	Shri Pushpendra Kumar Patel, Advocate.
For Non-Applicant	Shri Neeraj Jain, Govt. Advocate

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

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.107/2015 registered at Police Station-Bhatgaon, District-Surajpur for the offence punishable under Section 304 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant, being quack, forced Ramlakhan (since deceased) to inhale smock though *chimni* in order to treat him, by which for want of Oxygen,

he died on 21.06.2015.

(3) Counsel for the applicant submits that applicant has not committed any offence and he has falsely been implicated in the offence in question. He further submits that applicant is in jail since 23.06.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State would submit that applicant is a Quack and forced the deceased to inhale smock through Chimni, and on account of lack of oxygen he died and, therefore, the applicant is not entitled to be released on bail.

(5) Taking into consideration the facts & circumstances of the case; and the manner in which applicant, being the Quack, without authority of law treated the deceased; by which he died, I am not inclined to release the applicant on bail. Thus, the bail application is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-