

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6168 of 2015

Balbeer @ Sheru Jangde, S/o. Ramcharan Jangde, Aged About 23 Years,
R/o. Village Bhejridih, Post - Bhaisa, Thana - Kharora, Distt. Raipur,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Kharora, Distt. Raipur,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.175/2015 registered at Police Station- Kharora, District Raipur (C.G.) for the offence punishable under Sections 294, 323, 307, 147, 148 & 149 of Indian Penal Code.
2. As per the prosecution case, in brief, is that the present applicant alongwith other co-accused persons assaulted injured Pannalal by wooden sticks, axe and rod on 01.07.2015 by which he suffered grievous injuries, which were sufficient to cause his death.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. He further submits that the similarly placed co-accused have been enlarged on bail by the order dated 05.10.2015 passed by the coordinate Bench of this

Court in M.Cr.C. No.5281/2015; therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and would submit that the Axe was recovered from this applicant.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the nature of injury, gravity of offence and the role played by this applicant and further taking into fact that the other similarly placed co-accused have already been enlarged on bail by the coordinate Bench of this Court, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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