

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.5033 of 2015

Baljeet Singh S/o Charanjeet Singh, aged about 50 years, R/o House No.MIG-261, Kabirnagar Raipur (CG), Police Station – Aamanaka Raipur, Tahsil – Raipur, Civil and Revenue District Raipur (CG)

Permanent address Simlapuri Jain Ka Theka Gali No.12, Police Station-Simlapuri, Civil and Revenue District- Ludhiyana Punjab

---Applicant

Versus

State of Chhattisgarh, Through- Station House Officer, Police Station-Kabirnagar, District-Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Anupam Dubey, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

22/09/2015

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.18/2015, registered at Police Station-Kabirnagar, District- Raipur (C.G.), for the offence punishable under Section 307 of the IPC and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that the present applicant assaulted injured Pal Singh by sword by which he suffered grievous injuries, which were sufficient to cause his death and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence, there is some dispute between the parties relating to loan and therefore, he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 27.2.2015, charge-sheet has already been filed and no further interrogation is required and therefore, he may be enlarged on bail.

4. On the other hand, learned State counsel would oppose the bail application and submit that sword has been recovered from the possession of the present applicant.

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, nature of injury and the fact that the applicant is in custody since 27.2.2015, this Court is of the opinion that present is a 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 his 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/-