

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4801 of 2015**

- Samaru Manjhi, S/o. Shri Goverdhan Manjhi, aged about 35 years, R/o. Village -Siringa, P.S.-Dharamjaygarh, Civil & Revenue Distt.- Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through the Station House Officer, Police Station – Dharamjaygarh, Distt. Raigarh (C.G.)

---- Non-applicant

For Applicant:	:Mr. Koushal Dewangan, Advocate.
For Non-applicant/State	:Mr. Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 13/2014 registered at Police Station Dharamjaygarh, Distt. Raigarh for the offence punishable under Section 307 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 9.1.2014 applicant assaulted Budhhiman Manjhi by razor by which he suffered grievous injuries which were sufficient to cause his death and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant submits that victim Budhhiman Manjhi & his wife have been examined and they have not supported the case of the prosecution. He further submits that the applicant is in jail since 10.11.2014; injuries suffered by the victim are simple in nature; 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 opposes the bail application and submits that five witnesses have already been examined.

(5) Taking into consideration the facts & circumstances of the case; nature of injuries suffered by the victim; and considering the facts that applicant is in custody since 10.11.2014; charge sheet has already filed and the trial is already in progress; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-