

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4873 of 2015**

- Ravishankar, S/o Kahalram, aged about 30 years, Occupation Agriculturist, R/o Kritbandha, Police Station Pipariya, Tahsil Kawardha, Civil and Revenue District Kabirdham (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through: the District Magistrate, Kabirdham (as per the order sheet)

---- Non-applicant

For Applicant: Mr. R.S. Baghel, Advocate.
For Respondent/State: Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/09/2015**

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. 115/2015 registered at Police Station Pratappur, District Surajpur for the offence punishable under Section 306 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 23.8.2015 applicant & one co-accused – Guddu assaulted injured/victim Rajau by axe, by which he suffered grievous injuries, which was sufficient to cause his death.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not

committed any offence. He further submits that the injuries suffered by the victim/injured are simple in nature; applicant is in jail since 23.08.2015; and the substantial investigation has already been made and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State submits that axe in question has been recovered from the possession of the applicant and injuries suffered by the victim are grievous in nature, which was sufficient to cause his death.

(5) Taking into consideration the facts & circumstances of the case; nature of injuries suffered by the victim; role of the present applicant in the offence in question; pre-trial detention and the substantial investigation has already been made, this Court is of the opinion 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.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-