

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4999 OF 2015**

Vikram Chouhan, son of Benu Chouhan, aged about 21 years, resident of Shakti Nagar, Police Station Pandari Raipur, Civil and Revenue District Raipur, Chhattisgarh.

---Applicant

Versus

The State of Chhattisgarh, Through Police Station Pandari, District Raipur, Chhattisgarh.

---Non-applicant

For Applicant	:	Mr. P. P. Sahu, Advocate
For Non-applicant	:	Mr. O.P. Sahu, 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. 174/2015, registered at Police Station Pandari, District Raipur (C.G.), for the offence punishable under Section 307/34 of I.P.C.

2. Case of the prosecution, in brief, is that, on 20/07/2015 applicant and two other co-accused persons assaulted injured Krishna Kumar and Nagesh Patel by which they suffered grievous injury which was sufficient to cause death.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question as it is co-accused Vikash Sahu who has assaulted injured persons

by knife and knife has been recovered from Vikash Sahu. He would further submit that nothing has been seized from the present applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 25/07/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

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; pretrial detention of the applicant; the assault is said to have been made by co-accused Vikash Sahu by knife and charge sheet has been filed, this Court is of the opinion that present is the 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 furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE