

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 5124 OF 2015**

Parmindar Singh @ Rana, S/o Balvant Singh @ Maggar Singh, aged 23 years, R/o HDD-48, Kabir Nagar, P.S. Kabir Nagar, Civil & Rev. Distt. Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through: P.S. Kabir Nagar, Dist. Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Devershi Thakur, Advocate
For Non-applicant	:	Mr. Suvigya Awasthi, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/09/2015**

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. 39/2015, registered at Police Station Kabir Nagar, Dist: Raipur (C.G.), for the offence punishable under Sections 354 (a), 456, 307 of I.P.C.

2. Case of the prosecution, in brief, is that, on 25/04/2015 applicant assaulted Ku. Mandeep Kaur by wooden stick by which she suffered grievous injury which was sufficient to cause death and also sexually assaulted.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that injuries were simple in nature, in fact applicant and prosecutrix wanted to marry and complainant's brother assaulted the applicant. He would further submit that injured has already

been examined and applicant is in jail since 26/04/2015 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 in offence in question; defence of the applicant; charge sheet has already been filed and applicant is in jail since 26/04/2015, 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