

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.5306 of 2015**

Nakul Bareth son of Late Panchram Bareth, aged about 26 years, R/o.
Village Kurda, P.S. Champa, District Jangir-Champa (CG)

---Applicant**Versus**

State of Chhattisgarh Through: Station House Officer, P.S. Champa,
District Janjgir-Champa (CG)

---Non-applicant

For Applicants	:	Mr.N.K.Chaterjee, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****06/10/2015**

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.153/2015, registered at Police Station-Champa, District-Janigir-Champa (C.G.), for the offence punishable under Sections 294, 506B and 307 of the IPC.
2. Case of the prosecution, in brief, is that on 7.6.2015 the present applicant assaulted complainant Golo Bai by iron hammer by which she suffered grievous injuries which were sufficient to cause her death. The applicant also abused and threatened to kill her.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely been implicated in crime in question. He would further submit that in fact, the applicant was in love with daughter of the complainant and they wanted to marry, but the complainant was not in favour of love marriage and thereby she has falsely been implicated the present applicant, in which he is in custody since 24.7.2015 and charge-sheet is

yet to be filed and therefore, he may be enlarged on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that the complainant suffered head injury and remained hospitalized for five days.

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; nature of injuries; cause of dispute and pre-trial detention of the applicant, 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 the 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/-