

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5347 of 2015

Bhupendra Shyam, S/o. Peelaram Shyam, Aged about 27 years, R/o. Village Mudghusdi, Civil & Revenue District Bilaspur (C.G.).

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Takhatpur, Civil & Revenue District Bilaspur (C.G.).

---- Respondent

For Applicant : Mr. Kamal Kishor Patel, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/10/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.149/2015 registered at Police Station- Takhatpur, District Bilaspur (C.G.) for the offence punishable under Section 498-A, 306/34 of I.P.C.
2. Learned counsel for the applicant submits that there is no offence of abetment is made out and the report was made after 1 ½ months of the incident. He further submits that the charge sheet has been filed and the other co-accused father-in-law and mother-in-law have already released on bail by the co-ordinate Bench of this Court in M.Cr.C. No.4574 of 2015 and M.Cr.C. No.4931 of 2015, therefore, the applicant may also be released on bail.
3. Per contra, learned State counsel opposes the prayer for grant of bail.
4. Considering the totality of the facts and taking into account that the charge sheet has been filed and the applicant is in jail since

06.06.2015 and the other co-accused have been enlarged on bail, this Court is of the view that this is a fit case to release the applicant on bail.

5. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the concerned trial Court. He is directed to appear before the trial court on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge