

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.572 of 2016

Harisanker Taram S/o Tulsiram Taram aged about 35 years, R/o Markatola, P.S. Mohala, District Rajnandgaon (CG)

---Applicant

Versus

State of Chhattisgarh Through the Police Station Mohala, District Rajnandgaon (CG)

---Non-applicant

For Applicant	:	Mr. Aditya Bhardwaj, Advocate
For Non-applicant	:	Mr. D.R.Minz, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

11/02/2016

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.92/2015, registered at Police Station-Mohla, District-Rajnandgaon (CG), for the offence punishable under Sections 420 & 338 of the IPC and Section 24 of the C.G. Ayurvigyan Parishad.

2. Case of the prosecution, in brief, is that the applicant being Homeopathy doctor treated the complainant with Allopathic medicine by which he lost his right leg and also obtained ₹25,000/- fraudulently.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant has not taken above-stated money, he is in jail since 8.1.2016 and

charge-sheet has not been filed as yet.

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; allegation against the present applicant and his pre-trial detention, 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/-