

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 625 OF 2016**

Sunil Yadav, S/o Shri Jagdish Yadav, aged about 19 years, R/o Krishna Nagar, Danganiya, (Khadan Basti), Raipur, Post Office Raipur, Police Station D.D. Nagar, District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station D.D. Nagar, District Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Non-applicant	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/02/2016**

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. 177/2015, registered at Police Station D.D. Nagar, District Raipur (C.G.), for the offence

punishable under Sections 307 of I.P.C. and 25/27 of the Arms Act.

2. Case of the prosecution, in brief, is that, on 15/09/2015, applicant assaulted victim Amandeep by sword and thereby committed aforesaid offence.

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 no custodial interrogation is required and no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 16/09/2015, 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; nature of injury, charge sheet has already been filed and applicant is in jail since 16/09/2015, I am 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 concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE