

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1093 of 2016**

Dharam Singh Markam, Aged 32 years, S/o Kheju Ram Markam, R/o Village-Mardakala, P. Chowki-Nawagarh, P.S.-Mainpur, District Gariyaband (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through Police Station Mainpur (Ch. Post-Nawagarh), District – Gariyaband (C.G.)

-----Non-applicant

For Applicant: Mr. Mohd. Afroz Athar, Advocate.
For Respondent/State: Mr. Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****08/03/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 163/2015 registered at Police Station Mainpur (Ch.P-Nawagarh), Distt-Gariyaband for the offence punishable under Section 307 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 10.12.2015 applicant assaulted his father by wooden stick, by which he suffered grievous injuries, which were sufficient to cause his death.

(3) Counsel for the applicant submits that applicant & victim are close relative to each other i.e. son & father; and on account

of some trivial issue, applicant is alleged to have made assault to the victim (his father), by which he suffered simple injuries. He further submits that applicant is languishing in jail since 12.12.2015 and, therefore, he may be released on bail.

(4) Taking into consideration the facts & circumstances of the case; further considering the relation between the applicant & victim i.e. son & father; pre-trial detention and no custodial interrogation is required; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(5) Accused/applicant – **Dharam Singh Markarm** is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-