

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.854 of 2016

Prem Singh S/o Ramcharan Bhaina, aged about-30 years, R/o Village Bhaskura, P.S. Gourela, Tehsil-Pendraroad, Dist.-Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh, Through-The Police Station Gourela, Tehsil-Pendraroad, Dist.-Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Rakesh Pandey, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

01/03/2016

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.400/2015, registered at Police Station-Gourela, District-Bilaspur (C.G.), for the offence punishable under Sections 294, 506, 323 and 326/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant and co-accused assaulted victim Bhagwant Lal by which he suffered grievous injuries which were sufficient to cause his death.

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 is in jail since 20.12.2015 and charge-sheet has already been filed and 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 the offence; injuries suffered by the complainant and the fact that charge-sheet has already been filed, 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-