

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.924 of 2016**

Takeshwar Prasad Turturiya, son of late Girdhar Lal Turturiya, aged about 42 years, R/o. Village Masul, Ward No.13, near Shitala Mandir, P.S. Ranchirai, Tahsil Gunderdehi, District Balod (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Ranchirai, District Balod (CG)

---Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

03/03/2016

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.44/2015, registered at Police Station-Ranchirai, District-Balod (CG), for the offence punishable under Sections 450 & 307/34 of the IPC.

2. Case of the prosecution, in brief, is that in the intervening night of 20/21.6.2015 the applicant and co-accused Santosh Kumar Meshram assaulted victim Dhaneshwari by wooden stick, by which she suffered grievous injuries which were sufficient to cause her death and thereby committed the aforesaid injuries.

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 present

applicant has been named first time in supplementary statement, he is in jail since 4.10.2015, charge-sheet has already been filed and no custodial interrogation is required. He would also submit that co-accused Santosh Kumar Meshram has been released on bail by this Court vide order dated 2.2.2016 in M.Cr.C.No.407 of 2016 and case of the present applicant is similar to that of co-accused, 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 & circumstances of the case; nature & gravity of offence; role of the present applicant; the fact that the applicant has been named first time in supplementary statement and also 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/-