

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1103 of 2016

Bhrignath Yadav, S/o Rambachan Yadav, aged about 45 years, R/o Village Deori, P.S. Bagdi, District Balia (U.P.) Presently residing at Ring Road, Junapani, Piprimeghe, Wardha (M.S.)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. P.R. Patankar, Advocate.
For Non-applicant:	Mr. Om P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.545/2015, registered at Police Station Pulgaon, Out Post Anjora, District Durg, for the offence punishable under Sections 279, 304A, 304 of the IPC; Sections 184 and 185 of the Motor Vehicles Act.
2. Case of the prosecution, in brief, is that on 1-11-2015, the applicant caused the death of Sanjay Patel by his trailer and that too knowing fully well that his rash and negligent act is likely to cause death, and thereby committed the offence.
3. Learned counsel for the applicant submits that earlier, offence punishable under Sections 279, 304A of the IPC; Sections 184 and 185 of the Motor Vehicles Act were registered against the applicant and after filing of charge-sheet, offence punishable under Section 304 of the IPC has also been inserted. The applicant is in jail since 20-1-

2016.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant and his pretrial detention, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge

Soma