

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1246 of 2016

Praveen Sonkar, S/o Shri Bankelal, aged about 23 years, R/o Tikra Para,
Mannu Chowk, Bilaspur, District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, P.S. City Kotwali,
Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Mr. M.P.S. Bhatia, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

10/03/2016

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.341/2015, registered at Police Station City Kotwali, Bilaspur, for the offence punishable under Sections 147, 148, 307 read with Section 149 of the IPC, 25 and 27 of the Arms Act.
2. Case of the prosecution, in brief, is that the applicant and 19 other co-accused persons constituted unlawful assembly and one co-accused Chiku made gun shot injury to injured / victim Satyajit Sonkar by country made gun by which he suffered grievous injuries which were sufficient to cause death.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case, as gun shot injury was made by one Chiku and since the applicant was present on the spot, he has immediately taken injured Satyajit Sonkar to Apollo Hospital, rather he has saved the life of the victim, and he is in custody from 24-10-2015. Charge-sheet has already been filed and no useful purpose will

be served by keeping the applicant in jail. Learned counsel further submits that co-accused Amit Singh has already been granted bail by this Court vide order dated 1-2-2016 passed in M.Cr.C.No.7371/2015.

4. On the other hand, learned State counsel would oppose the application and would submit that the applicant was member of unlawful assembly.
5. I have heard learned counsel for the parties and gone through the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, nature of injury, the fact that injury was said to have been made by Chiku – other co-accused, role of the present applicant, charge-sheet has already been filed, the applicant is in custody since 24-10-2015, no further interrogation of the applicant is required and co-accused Amit Singh has been granted regular bail, 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