

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1610 of 2016**

1. Shobha Ram, S/o Shri Sukulram Chouhan, aged about 55 years,
2. Dilkumar, S/o Shri Shobha Ram Chouhan, aged about 22 years,

Both resident of Village : Lotlota, Police Station : Katghora,
District Korba (C.G.)

---- Applicants**Versus**

State Of Chhattisgarh: Through : Station House Officer,
Police Station : Katghora, District : Korba (C.G.)

-----Non-applicant

For Applicant: Mr. Nitesh Shriwas, Advocate.
For Non-applicant/State: Mrs. Astha Shukla, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****16/03/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 236/2015 registered at Police Station Katghora, District Korba (C.G.) for the offences punishable under Section 307/34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicants assaulted complainant – Jansan Bhariya, by which he suffered grievous injuries which were sufficient to cause his death.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question as they have not committed any offence. He further submits that the injuries suffered by the complainant are simple in nature; applicants are languishing in jail since 30.09.2015; charge sheet has already been filed and no useful purpose would be served in detaining him in jail, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes 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; looking to the nature & gravity of the offence; role of the present applicants in the offence in question; pre-trial detention; and charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants – **Shobha Ram & Dilkumar** are directed to be released on bail on each of them 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. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

