

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1597 OF 2016**

Ajay Shahani S/o Late Babulal aged about 28 years,
Occupation Business, R/o Jarhabhatha, near Jatiya Talab,
Bilaspur, Police Station Civil Line, Bilaspur, District Bilaspur
(C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, Police
Station Hirri, District Bilaspur (C.G.)

---Non-applicant

For Applicant	:	Mr. Devesh Chandra Verma, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/03/2016**

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. 58/2015, registered at Police Station Hirri, District Bilaspur (C.G.), for the offence punishable under Sections 341, 294, 323, 506, 307/34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, on 30/05/2015 applicant and three other co-accused persons assaulted victim by Knife, by which, he suffered grievous injury which was sufficient to cause death and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that injuries are simple in nature. He would further submit that substantive investigation has already been completed and no custodial interrogation is required. He would lastly submit that applicant is in jail since 14/01/2016, 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 offence; nature of injury suffered by the victim and applicant is in jail since 14/01/2016, this Court is of the

opinion that present is the 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 applicant shall be released on bail on 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge