

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1680 of 2016**

Somu @ Yogesh Thakur S/o Shri Santosh Thakur, aged about 24 years,
R/o Thakur Para near Pankaj Garden, Purani Basti Raipur, Tahsil &
District Raipur (CG)

---Applicant**Versus**

State of Chhattisgarh, Through: Station House Officer, Police Station:
Purani Basti, District-Raipur (CG)

---Non-applicant

For Applicant	:	Mr. C.R.Sahu, Advocate
For Non-applicant	:	Mr. Adhiraj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/03/2016**

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.353/2015, registered at Police Station-Purani, Basti, Raipur, District-Raipur (CG), for the offence punishable under Section 307/34 of the IPC and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that on 21.12.2015 the applicant assaulted victim Pankaj @ Rahul by knife by which he suffered grievous injuries, which were sufficient to cause his death.

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 applicant

has not made any assault and injuries caused by co-accused Aushutosh. He is in jail since 23.12.2015 and charge-sheet has been filed.

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 the offence, role of the present applicant, his pre-trial detention and 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/-