

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.1813 of 2016

Satish Manikpuri S/o Munna Manikpuri, aged about 19 years, R/o Village – Kurmipara, Bemetara, Police Station & Tahsil-Bemetara, Civil and Revenue District – Bemetara (CG)

---Applicant

Versus

State of Chhattisgarh Through: Police Station – Bemetara, Civil and Revenue District-Bemetara (CG)

---Non-applicant

For Applicant	:	Mr. Vaibhav Goverdhan, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/04/2016

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.734/2015, registered at Police Station-Bemetara, District-Bemetara (CG), for the offence punishable under Sections 294, 506B, 323, 307, 147 and 149 of the IPC.
2. Case of the prosecution, in brief, is that on 22.11.2015, the applicant and three other co-accused persons assaulted Pappu Mishra and Sunil Pandey by which they have 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 falsely been implicated in crime in question. The victims were in drunken condition, the applicant is in jail since 29.11.2015 and charge-sheet has already been filed. He would further submit that co-accused Monu and Tonu @ Toman have been released on bail by this Court vide order dated 17.3.2016 in M.Cr.C.No.1719 of 20016 and case of the present applicant is similar to that of co-accused, 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 & circumstances of the case, nature & gravity of the offence, nature of injuries, pre-trial detention of the applicant, charge-sheet has been filed and the fact that co-accused have been released on bail, 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/-