

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2591 OF 2016

Govinda Sahu S/o Samaru Sahu aged about 26 years, R/o Badaipara Raipur, Civil & Revenue District Raipur (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Police Station Azad Chowk, Raipur, District Raipur (C.G.)

... Non-applicant

For Applicant	:	Mr. S. I. Ali, Advocate.
For Non-applicant/State	:	Mr. Vivek Sharma, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

06/06/2016

1. This is the first application filed under Section 439 of CrPC for grant of bail to Applicant who has been arrested on 12.11.2015 in connection with Crime No.257/2015 registered at Police Station Azad Chowk, District Raipur, for the offence punishable under Sections 307, 327 & 34 of Indian Penal Code.
2. As per the prosecution, the allegation against the present applicant is that the present applicant along with the co-accused Deepak Nirmalkar is said to have assaulted the complainant on 11.11.2015 with a knife and caused grievous injuries.
3. Counsel for the Applicant submits that the complainant has already been examined as PW-1 before the court below and the complainant has not supported the case of the prosecution insofar as the present applicant is concerned, therefore, the present applicant may be released on bail.

4. Counsel for the State does not dispute the fact that perusal of the deposition of the complainant establishes the fact that he has not supported the case of the prosecution insofar as the present applicant is concerned.

5. Having considered the facts and circumstances of the case, this Court is of the view that it is a fit case where the Applicant can be released on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that in case the Applicant furnishes a personal bond for a sum of **Rs. 20,000/- with one surety** of the like amount to the satisfaction of the concerned Trial Court then he shall be released on bail on the following further conditions:-

(i) that the Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(ii) that the Applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iii) that the Applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
V. Judge