

HIGH COURT OF CHHATTISGARH, BILASPUR**Miscellaneous Criminal Case No.2683 of 2016**

Sitaram Suryawanshi, son of Samaru Suryawanshi aged about 55 years, resident of Village Mohara, Police Station Sipat, District Bilaspur, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh, through its Police Station Sipat, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Ravi Maheshwari, Advocate
For State/Respondent	:	Shri Vivek Sharma, Government Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

8/6/2016

1. This is an application filed under Section 439 Cr.P.C. for grant of regular bail to the Applicant, who has been arrested in connection with Crime No.47 of 2016 registered at Police Station Sipat, Civil and Revenue District Bilaspur (Chhattisgarh) for the offence punishable under Section 304 IPC. The Applicant is in jail since 11.3.2016.
2. Case of the prosecution, in brief, is that on 16.2.2016 the present Applicant along with the deceased and one Suraj were fishing in River Kharun using an electric rod for the purpose of fishing. The allegation against the present Applicant is that while the deceased was holding the fishing rod with electricity connection on it the present Applicant had put the switch on, on account of which the deceased got electrocuted.
3. Learned Counsel for the Applicant submits that the present Applicant is in jail since 11.3.2016, i.e., for about 3 months and taking into

consideration the nature of allegation he may be released on bail.

4. Learned Counsel for the State opposes the bail application.

5. I have heard Learned Counsel appearing for the parties.

6. Without commenting on merits, considering the totality of the facts and circumstances of the case, more particularly the manner in which the deceased got electrocuted and the nature of allegation against the present Applicant, this Court is of the opinion that the present is a fit case in which the Applicant could be enlarged on regular bail.

7. Accordingly, the bail application is allowed.

8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- (Twenty Thousand) with two sureties in the like sum to the satisfaction of the trial Court and for his appearance before the said Court as and when directed.

9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge