

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1878 of 2016**

Rekhraj Som S/o Late Ramanand Som, Aged about 43 years, R/o Chhppli,
Police Station Nagri, Civil & Revenue District-Dhamtari (CG)

---Applicant

Versus

State of Chhattisgarh, through the Station House Officer, Police Station
Nagri, District Dhamtari (CG)

---Non-applicant

For Applicant	:	Mr. Sanjeev Sahu, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

12/04/2016

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.104/2015, registered at Police Station-Nagri, District-Dhamtari (CG), for the offence punishable under Sections 294, 323, 506B, 456 and 325/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant and his wife assaulted victim Dhan Singh by axe by which he suffered grievous injuries and also abused and threatened the victim to kill.

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 injuries are simple in nature, the applicant is in jail since more than three months and charge-sheet has already been filed, therefore, he may be released on

bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that axe has been recovered from the possession of the present applicant.

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, the fact that the applicant is in jail since more than three months, nature of injuries and considering 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/-