

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 276 OF 2016**

Bharat Chauhan, S/o Kalyan Chauhan, aged about 22 years, R/o Santoshi Nagar, Lakhauli, Thana Kotwali, Distt. Rajnandgaon (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Thana Lalbag, Distt. Rajnandgaon (C.G.)

---Non-applicant

For Applicant	:	Mr. Samir Singh, Advocate
For-Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/02/2016**

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. 281/2015, registered at Police Station Lalbag, Distt. Rajnandgaon (C.G.), for the offence punishable under Sections 147, 148, 149, 323, 307/34 of

Indian Penal Code.

2. Case of the prosecution, in brief, is that, on 29/08/2015 applicant along with other co-accused persons assaulted Kaushal, Dinesh and Pushpa, by which, they suffered grievous injuries, which was sufficient to cause their death and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the case. He would further submit that charge sheet has been filed and applicant is in jail since 24/11/2015, therefore, he may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail and submit that bail application of similarly situated co-accused Ravi Lahre was rejected by the Co-ordinate Bench of this Court on 19/01/2016 in M.Cr.C.No. 7769/2015

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; present applicant has assaulted the victims by knife and the fact that bail application of co-accused Ravi Lahre was rejected by Co-ordinate Bench of this Court, I am not inclined to release the applicant on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected. However, trial Court is directed to expedite the trial.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge