

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.333 of 2016

Dushyant Vishwakarma son of Rajendra Kumar, aged about 20 years, R/o. Village Kachhandur, P.S. Pulgaon, Tahsil and District Durg (CG)

---Applicant

Versus

State of Chhattisgarh Through: The District Magistrate, Durg (CG)

---Non-applicant

For Applicant	:	Mr. Jitendra Gupta, Advocate
For Non-applicant	:	Ms Ashtha Shukla, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

08/02/2016

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.571/2015, registered at Police Station-Pulgaon, District-Durg (C.G.), for the offence punishable under Sections 294, 506B and 307 of the IPC.

2. Case of the prosecution, in brief, is that on 11.11.2015 the applicant assaulted victim Jogesh Kumar Sahu by knife by which the injured suffered grievous injuries which were sufficient to cause his death.

3. Learned counsel for the applicant would submit the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the applicant is in jail since 12.11.2015, charge-sheet has already been filed and no useful

purpose would be served by detaining him in jail and 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 and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant; his pre-trial detention and 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-