

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.690 of 2016**

Tarkeshwar @ Pankaj Singh son of late Kailash Singh, aged about 24 years, resident of L.I.G. 228, Housing Board Jamul, Police Station-Jamul, Bhilai, Tahsil and District-Durg (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station Jamul, District-Durg (CG)

---Non-applicant

For Applicant	:	Mr. B.P.Singh, Advocate
For Non-applicant	:	Mr. Neeraj Sharma, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

23/02/2016

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.370/2015, registered at Police Station-Jamul, District-Durg (CG), for the offence punishable under Section 307 of the IPC.

2. Case of the prosecution, in brief, is that on 13.8.2015 the applicant assaulted victim Balkar Singh by knife by which he suffered grievous injuries which were sufficient to cause his death.

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 and the victim remained hospitalized only for five days. Charge-sheet has already been filed and the applicant is in jail since

14.8.2015 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 & circumstances of the case; further taking into consideration the nature & gravity of offence; role of the present applicant; nature of injuries 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 ₹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/-