

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 725 of 2016**

Atmaram Kosley, S/o Bishelal Kosley, aged about 27 yers,  
R/o- Village-Nakti, Kumhari Post Office & Police Station-  
Kharora, District – Raipur (C.G.)

**---- Applicant****Versus**

State Of Chhattisgarh: Through the Station House Officer,  
Police Station- Kharora, District Raipur (C.G.)

**-----Non-applicant**


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For Applicant: Mr. Shivendu Pandya, Advocate.  
For Respondent/State: Mr. Aditya Sharma, Panel Lawyer.

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**Hon'ble Shri Justice Sanjay K. Agrawal****Order on Board****29/02/2016**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 323/2015 registered at Police Station Kharora, District-Raipur (C.G.) for the offences punishable under Sections 294,323,506 & 307 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 13.11.2015 applicant assaulted complainant Johanlal Kosley by iron rod, by which he suffered grievous injuries which were sufficient to cause his death and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in

detention since 15.11.2015 and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; nature of injuries suffered by the complainant; further considering his pre-trial detention and the charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Atmaram Kosley** is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-  
(Sanjay K. Agrawal)  
Judge

D/-