

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 973 OF 2016**

Pramod Kumar S/o Ramji Dewangan aged about 20 years
R/o village Seoni Champa Police Station Champa District
Janjgir-Champa (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer Police
Station Champa, District Janjgir-Champa (C.G.)

---Non-applicant

For Applicant	:	Mr. Gurudev I. Sharan, Advocate
For Non-applicant	:	Mr. Suvigya Awasthy, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/03/2016**

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. 279/2015, registered at Police Station Champa, District Janjgir-Champa, for the offence punishable under Section 307 of the I.P.C.
2. Case of the prosecution, in brief, is that, applicant

herein in furtherance of common intention along with co-accused Manmohan Dewangan, assaulted victim Govind Dewangan by sword by which he suffered four incised injuries on various parts of the body which were sufficient for causing 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 this case. He would further submit that no custodial interrogation is required of the applicant. He would lastly submit that charge sheet has been filed and applicant is in jail since 20/09/2015 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; nature of injury; charge sheet has already been filed and applicant is in jail since 20/09/2015, this Court is of the opinion that present is the 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 applicant shall be released on bail on 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