

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 779 of 2016**

Rohit Kumar Naurange, son of Shri Shakraji Naurange, aged about 35 years, R/o village-Chhote Aamakoni, P.S. Sariya, Distt. Raigarh, Civil and Revenue Distt. Raigarh (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through Police Station-Sariya, District Raigarh (C.G.)

-----Non-applicant

For Applicant: Mr. M.K. Sinha, Advocate.
For Non-applicant/State: Mr. Neeraj Kumar Sharma, Dy. GA.

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. 115/2015 registered at Police Station Sariya, Distt. Raigarh for the offence punishable under Section 307 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 28th August, 2015 applicant assaulted Ramesh Kumar, by which he suffered grievous injuries, which were sufficient to cause his death.

(3) Counsel for the applicant submits that there is delay of 8 days in lodging the First Information Report as the incident had occurred on 20.08.2015 whereas FIR has been lodged 28.8.2015 without any explanation and the applicant has been arrested on

14.12.2015. He further submits that the charge sheet has already been filed by the applicant and no custodial interrogation is required and, therefore, he may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case, further considering the extent of delay in lodging the FIR; and the facts that applicant is in jail since 14.12.2015 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 application is allowed.

(6) Accused/applicant 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/-