

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1065 of 2016**

Punniram, son of Gariba Yadav, aged about 65 years,
Occupation- Cultivator, resident of Village Sagona, Police
Station-Kukdur, Tahsil-Pandaria, District – Kabirdham
(C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through: Station House Officer,
Police Station -Kukdur, District Kabirdham (C.G.)

-----Non-applicant

For Applicant: Mr. Suryakant Mishra, Advocate.
For Non-applicant/State: Mr. Aditya Sharma, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/03/2016**

Heard.

(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. 35/2015 registered at Police Station Kukdur, District-Kabirdham (C.G.) for the offences punishable under Sections 294 & 326 of Indian Penal Code and Sections 3(1)(x) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.

(2) Case of the prosecution, in brief, is that applicant caused grievous hurt to the complainant by axe and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is aged about 65 years and is in jail since 29.12.2015 and the charge sheet has 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; further considering the fact that the applicant is in detention since 29.12.2015 and the charge sheet has 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 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/-