

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1177 OF 2016**

Shekhar Gurde, S/o Salikram, aged about 34 years, R/o Kosanala, Police Station Supela, District Durg, C.G.

---Applicant**Versus**

State of Chhattisgarh, Through Station House Officer Police Station GRP Bhilai, District Durg, C.G.

---Non-applicant

For Applicant	:	Mr. Praveen Dhurandhar, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

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

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. 108/2015, registered at Police Station GRP Bhilai, District Durg C.G.(wrongly mentioned as Supela), for the offence punishable under Sections 294, 323, 324, 506, 307/34 of Indian Penal Code and 25 of Arms Act.
2. Case of the prosecution, in brief, is that, on

15/09/2015 applicant and two other co-accused persons assaulted T. Bhaskar Rao by Knife by which he suffered grievous injury which was sufficient to cause 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 co-accused persons namely Gopal Sahu and Chandrashekhar have been released on regular bail by the co-ordinate Bench in M. Cr. C. No. 7424/2015 on 06/01/2016. He would lastly submit that charge sheet has been filed and applicant is in jail since 15/09/2015 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; role of the applicant; charge sheet has already been filed and applicant is in jail since 15/09/2015, 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