

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1292 OF 2016**

Subhvantin Bai W/o Fundiram Gond, aged about 50 years,
Occupation Labour R/o Village Jamunpani Barbhatha, Police
Station Kukdur, Tahsil Pandariya, Civil and Revenue District
Kabirdham (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through District Magistrate/Station
House Officer, Police Station Kukdur, District Kabirdham
(C.G.)

---Non-applicant

For Applicant : Mr. Dharmesh Shrivastava, Advocate
For Non-applicant : Mr. Adhiraj Surana, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****15/03/2016**

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. 114/2015, registered at Police Station Kukdur, District Kabirdham, for the offence punishable under Sections 341, 294, 506, 307/34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, applicant and three other co-accused persons assaulted victim Shantanu by Axe 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 injuries are simple in nature and victim remained hospitalized for 4-5 days. He would lastly submit that applicant is in jail since 30/12/2015 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; role of the applicant; nature of injury and applicant is in jail since 30/12/2015, 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 her appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge