

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1588 of 2016

Pradeep Gupta, S/o Santosh Kumar Gupta, aged about 44 years, R/o Harikishan Colony, Police Station Tarbahar, Bilaspur, District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Kota, Distt. Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Dr. N.K. Shukla, Senior Advocate with Mr. Shiv Shankar Tiwari, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/03/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.118/2015, registered at Police Station Kota, Distt. Bilaspur, for the offence punishable under Section 307 of the IPC.
2. Case of the prosecution, in brief, is that the applicant made gunshot injury to a minor victim by air gun by which he suffered grievous injuries which were sufficient to cause death.
3. Learned Senior Counsel appearing for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the offence in question. On the basis of suspicion, such an offence has been registered against the applicant in which he is in jail since 22-2-2016. The victim had already been discharged from hospital after remaining in hospital for 14 days. The

injuries were not sufficient to cause death even if they are taken in their face value.

4. On the other hand, learned State counsel opposes the application and submits that the injuries were grievous in nature.
5. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, evidence available, nature of evidence, pretrial detention and charge-sheet is yet to be filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
6. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge