

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1742 of 2016

Lovekase Patel, aged about 32 years, S/o Horilal Patel, R/o Diwanpara, Gandhi Chowk, P.S. Basantpur, Rajnandgaon, Civil & Revenue District Rajnandgaon (C.G.)

At present R/o Near Suyash Hospital, Shrinivas Raju's House, Kota, Raipur, District Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, P.S. Basantpur, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant:	Mr. Rakesh Thakur, Advocate.
For Non-applicant:	Mr. Dheeraj Kumar Wankhede, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/04/2016

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.204/2015, registered at Police Station Basantpur, Distt. Rajnandgaon, for the offence punishable under Sections 307, 120B and 212 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant is said to have harboured co-accused Ghanshyam Vishwakarma knowing well that he is an accused in a criminal case, with the intention of screening him from legal punishment and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case, he is in jail since 13-11-2015 and main accused is Nitin Limbo.

The applicant has not made any gunshot injury to the victim.

Charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the prayer for bail made on behalf of the applicant and submits that the applicant has harboured the co-accused and also financially helped him by giving Rs.75,000/-.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant and there is no allegation of Section 307 of the IPC against the applicant, I consider it a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that applicant Lovekase Patel 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