

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1921 of 2016**

Aizaz Khan S/o. Sharfuddin, aged about 19 years, R/o Sector-3, Devendra Nagar, Police Station and Post Ganj, Raipur, Civil and Revenue District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh Through–Police Station Khamtarai, Raipur, District-Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Manoj Paranjape, Advocate
For Non-applicant	:	Mr. D.R.Minz, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

12/04/2016

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.500/2015, registered at Police Station-Khamtarai, Raipur, District-Raipur (CG), for the offence punishable under Sections 294, 506B, 323 & 307 read with Section 34 of the IPC and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that the applicant and co-accused have assaulted injured Rahul by deadly weapon by which he suffered grievous injuries which were sufficient to cause his death.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that co-accused

have been released on bail by the trial Court, injuries are simple in nature, the applicant is in jail since 25.12.2015 and charge-sheet has already been filed, 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 & circumstances of the case, nature & gravity of the offence, role of the present applicant, his pre-trial detention, nature of injuries and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a 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 the applicant shall 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 trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-