

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1954 OF 2016**

Neel Kumar @ Nanak Yadav aged about 33 years son of
Rupau Ram Yadav R/o Kanhaiya Puri Chowk Kasarideeh
Durg Tahsil and District Durg (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through the District Magistrate Durg
(C.G.)

---Non-applicant

For Applicant	:	Mr. Uttam Pandey, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/04/2016**

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. 835/2015, registered at Police Station Durg (C.G.), for the offence punishable under Sections 294, 506-B, 323, 325 & 307 of I.P.C.

2. Case of the prosecution, in brief, is that, on

15/10/2015 applicant is said to have assaulted victim Yashwant Yadav by iron rod by which he suffered grievous injuries which was sufficient to cause death.

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. He would lastly submit that charge sheet has been filed and applicant is in jail since 07/01/2016 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 injuries; charge sheet has already been filed and pretrial detention of the applicant, 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