

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2078 of 2016**

1. Maya Nayak, S/o Fagoo Ram, aged 22 years.
2. Daya Nayak, S/o Fagoo Ram, aged 20 years.

Both are R/o Village Silpahari, P.S. Sirgitti, District Bilaspur (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer,
Police Station Sirgitti, District Bilaspur (C.G.)

--- Non-applicant

For Applicant: Mr. D.C. Verma, Advocate.
For Non-applicant/State: Mrs. Astha Shukla, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/04/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 388/2015 (as per challan) registered at Police Station Sirgitti, District Bilaspur for the offences punishable under Sections 294, 323, 506, 452 & 307 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 20.12.2015 applicant entered into the house of complainant – Dileep Patre and assaulted him by wooden stick, by which he suffered grievous injuries which were sufficient to cause his death.

(3) Learned counsel appearing for the applicant would submit that the applicant been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 14.01.2016; and the charge sheet has already been filed and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the nature and the gravity of the offence; role of the applicants in the offence in question; nature of injuries suffered by the complainant; their pre trial detention and the fact that charge sheet has already been filed; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-