

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1973 of 2016

Baharan Manjhar, S/o Sukul, aged about 25 years, R/o Village Kendai,
Police Station Bango, District Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police of Police
Station Bango, District Korba (C.G.)

---- Non-applicant

For Applicant: Mr. Kishore Narayan, Advocate.

For Non-applicant: Mr. D.R. Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/04/2016

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.71/2015, registered at Police Station Bango, Distt. Korba, for the offence punishable under Section 307 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that on 25-10-2015, the applicant and co-accused assaulted Andhan Sai Binjhar – victim by which he suffered grievous injuries which were sufficient to cause death.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. Injuries sustained by the victim are simple in nature. The applicant is in jail since 1-12-2015 and charge-sheet has been filed.
4. On the other hand, learned State counsel opposes the application and submits that the victim remained hospitalized for 14 days for treatment of the injuries caused by the applicant and co-accused.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration, nature and gravity of offence, facts and circumstances of the case, role of the applicant, his pretrial detention, nature of injuries, the applicant is in jail since 1-12-2015 and charge-sheet has been filed, I consider it a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. 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