

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3806 of 2016

Devsharan Neti, S/o. Shivprasad, Aged About 47 Years, R/o. Village Torfa, Police Station Raghunathnagar, Balrampur, District Balrampur Ramanujnagar, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, P.S. Raghunathnagar, District Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shakti Raj Sinha, Advocate.

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.43/2014 registered at Police Station- Raghunathnagar, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 307, 450, 324, 325, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 19.07.2014 at about 10-11 p.m., the applicant and one another co-accused person assaulted Jokhan Gond and Man Singh- victims, by sharp-edged weapon and by which they suffered grievous injuries and thereby committed the offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in this case. He further submits that the main accused against whom the allegations were attributed is Ramlal, who has been

enlarged on bail on 14.03.2016 by the co-ordinate Bench of this Court in M.Cr.C. No.1279 of 2016 and all the injuries are simple in nature, therefore, the applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of Smt. Devkal. Considering such statement and the fact that the similarly placed co-accused has been enlarged on bail by the co-ordinate Bench of this Court, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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/-
(Goutam Bhaduri)
Judge