

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4171 of 2016

- Aniket Pandey S/O Shri Anil Pandey Aged About 19 Years R/O H. No. 549, Near Little Angels School, Sundar Nagar, Raipur, Teh. & District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. D.D. Nagar, Raipur Chhattisgarh.

---- Respondent

For Applicants : Mr. Arvind Singh, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28-07.2016

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 on 22-6-2016 in connection with Crime No. 124 of 2015 registered at Police Station D.D. Nagar, Raipur (CG) for the offence punishable under Sections 294, 324, 506, 307, 34 of the IPC.
2. As per prosecution case, on 14-07-2015 a quarrel took place between the complainant Mrityunjay Sharma and present applicant Aniket Pandey and other two co-accused persons namely Prajwal Dubey and Shivam Verma. During such altercation present applicant assaulted the complainant Mritynanjay Shama by way of knife over his chest, elbow and left parietal region as a result of which he sustained injuries and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the incident took place all of a sudden and the applicant has no intention to kill the complainant and other two co-accused persons, who are juveniles have been granted bail by Juvenile Board. He would further submit that the applicant is in jail since 22-6-2016 and if he is released on bail he shall not tamper with the prosecution witnesses,. therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents and also perused the statement of the complainant.
6. Taking into consideration the facts and circumstances of the case nature of injuries sustained by the complainant and considering the statement of the complainant and also the fact that the applicant is in jail since 22-6-2016, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju