

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 6950 of 2016

1. Virendra Gupta, S/o. Shri Shivgopal Gupta, aged about 46 years, R/o. Beside Civil Court Manendragarh, Police Station and Tahsil – Manendragarh, District – Koriya (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Manendragarh, District – Koriya (C.G.)

---- Respondent

For Applicant : Mr. Chandresh Shrivastava, Advocate

For Respondent/State : Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/11/2016

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.180/2016, registered at Police Station – Manendragarh, District – Koriya (C.G.) for the offence punishable under Section 294, 450, 307 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by the victim on 26.05.2016 that the applicant entered into the house of the complainant namely Rajnikant Sharma, abused him and assaulted him by way of club on his head, which was sufficient to cause his death. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and the applicant went to demand the balance amount, which was due to him and during such conversation, altercation took place and the incident happened. It is

further submitted that the injury is simple in nature, charge-sheet in this case has been filed and the applicant is in jail since 27.09.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the statement as also the medical report and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 27.09.2016, this Court is of the opinion that present is a 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 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge