

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7176 of 2016

- Dhananjay Singh Thakur S/o Shri Raghunandan Singh Thakur
Aged About 31 Years R/o Village Pipara, Police Station Sipat,
Civil & Revenue District Bilaspur, Chhattisgarh. -- **Applicant**

Versus

- State of Chhattisgarh acting through District Magistrate
Bilaspur, Police Station Sipat, Civil & Revenue District-
Bilaspur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. K. A. Ansari Sr. Advocate with Meera Mrs. Ansari Advocate.
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer.
For the complainant	:	Mr. Vijendra Verma, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No.191/2016 registered at P.S. Sipat, Distt. Bilaspur (C.G) for the offence punishable under Section 307/34 of IPC.
2. As per the prosecution case, on 22.08.2016 complainant Arjun Singh went to village Pipra alongwith his uncle Bahoran Singh. While he was returning back on motorcycle, the applicant along-with his brother Sanjay Singh stopped the complainant and the present applicant assaulted him by way of knife and caused injury which was sufficient to cause death.
3. Learned counsel for the applicant would submit that the applicant have been falsely implicated and presently charge sheet has been filed and no further evidence is necessary. It

is further submitted that complainant Arjun Singh has filed an affidavit before the Sessions Court, Bilaspur wherein he it is stated that he do not want to prosecute the case against the present applicant. The complainant counsel is also present alongwith affidavit and submits that the complainant do not want to further proceed with the matter.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the totality of such facts and circumstances of the case and the nature of allegations and particularly the submission made by counsel for the complainant that he do not want to further proceed against the applicant and also taking into the fact that the trial is to be conducted by the trial Court, without any further observation on merits of the case, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**