

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7530 of 2016

Dujram Sahu, S/o. Jhururam Sahu, Aged About 70 Years, R/o. Village -
Pahanda, Thana & Tahsil Arang, District - Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station - Arang, District Raipur,
Chhattisgarh.

---- Respondent

For Applicant : Mr. S.S.Rajput, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/11/2016

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.367/2016 registered at Police Station- Arang, District Raipur (C.G.) for the offence punishable under Section 304(A) of Indian Penal Code, 1860 and Section 135(1) of Electricity Act, 2003.
2. Case of the prosecution, in brief, is that one Doman Sahu died by electrification on 17.09.2016 as the applicant had drawn an electric line to run his tube-well and the deceased came in contact with the electric line while grazing in the adjacent field, thereby he died.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the charge sheet has been filed and no further investigation is necessary, therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. The applicant appears to be 70 years of age. Taking into facts and circumstances of the case, nature of allegation and further taking into fact that the charge sheet has been filed and the applicant is in jail since 25.10.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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