

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 132 of 2017

Sanjay Singh, S/o. R.B Singh, Aged About 28 Years, R/o. D.N.K. Colony
Kondagaon, District- Kondagaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Kondagaon, District-
Kondagaon, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shobhit Koshta, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23/01/2017

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.195/2016 registered at Police Station- Kondagaon, District Kondagaon (C.G.) for the offence punishable under Sections 147, 148, 149, 452, 307 r/w 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 02.09.2016, the present applicant who was having enmity with the complainant went alongwith Swadeep Magar, Kamlesh Chandpal, Ramesh Dhruw and Deepak Netam and assaulted Sanjeev Saha by way of Knife at his Chest, which was enough to cause his death.
3. Learned counsel for the applicant would submit that the nature of injuries were not fatal and the other co-accused have been enlarged on bail by the Trial Court, 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 statement of the complainant Sanjeev Saha. Considering the statement, the main allegations are attributed to the present applicant. Taking into such fact and the way the offence has been committed, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge