

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1099 of 2017

Vijay Pratap Singh, S/o. Sunil Singh, Aged About 24 Years, R/o. Sadak No. 2, House No. 21, Steel Colony, Police Station Supela, District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Collector, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.P.Singh, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/03/2017

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.641/2016 registered at Police Station- Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Section 307/34 of Indian Penal Code.
2. As per the prosecution case, on 16.12.2016, the applicant went with Alok Kujur to a Bar and there has been some altercation with the Bar Manager over the Bill, which was objected by the injured Govind Rai and the applicant and other co-accused were made to leave the place. Subsequently, they again came and Alok Kujur assaulted the injured by way of Knife on his chest and other parts of the body and the present applicant Vijay also assaulted by hand and fists and by way of club, which was sufficient to cause death.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, the main allegation is attributed to Alok Kujur and the Knife is also seized from him and only allegation of assault by hand and fists is attributed to the present applicant, therefore, he 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 Govind Rai. The main allegation of causing stab injury by Knife is on Alok Kujur. Taking into such fact and the role attributed to the present applicant and the fact that the charge sheet has been filed, 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