

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1524 of 2018

Kshitij Ratre @ Bhuru @ Raja S/o Uday Ratre Aged About 20
Years R/o Devendra Nagar, E/43, Sector-2, Police Station
Devendra Nagar, District Raipur Chhattisgarh

--- Petitioner

Versus

State of Chhattisgarh through Police Station Khamtarai,
Raipur District Raipur Chhattisgarh.

--- Respondent

For the applicant	:	Mr. Pushpendra Kumar Patel, Adv.
For the Respondent	:	Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.03.2018

1. This is second 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. 253/2017 registered at Police Station Khamtarai, Raipur, Distt. Raipur (C.G) for the offences punishable under Sections 307/34 of IPC and sections 25 & 27 of the Arms Act.
2. The first bail application was dismissed on 21.11.2017.
3. As per the prosecution case, on 15.5.2017 victim Vicky Goswami was called by one Ravi Sathe and others to a certain place and when the victim reached there, he was assaulted by way of knife by Ravi Sathe and other accused, and the injuries caused to the victim were sufficient to cause death, thereby the offence has been committed.
4. Learned counsel for the applicant submits that victim Vicky Goswami has been examined before the Court and in his statement no allegations have been made against the

present applicant and the entire allegations are attributed to Ravi Sathe. He also submits that few of other accused who were not named by the complainant has been enlarged on bail by the learned court below, therefore, the present applicant may be enlarged on bail.

5. Per contra, learned State Counsel opposes the bail application.
 6. Perused the statement of Vicky Goswami. Considering the statement of victim and the fact that the charge sheet has been filed and the applicant is in jail since 15.05.2017, without any further observation on merits of the case, I am inclined to allow this bail application.
 7. 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 for his appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**