

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1727 of 2018

- Suresh Kumar Paikra S/o Late Sainath Paikra Aged About 25 Years
Occupation- Agriculturist, R/o Village- Bhagwatpur, Police Station-
Shankargarh, District- Balrampur- Ramanujganj, Chhattisgarh.,
District : Balrampur, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through- The Station House Officer,
Police Station- Shankargarh, District- Balrampur, Ramanujganj,
Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent

For the Applicant : Shri P. K. Patel, Advocate.

For the Respondent/State : Shri Vinod Tekam, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24.04.2018

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. 71/2017, registered at Police Station –Shankargarh, District – Balrampur- Ramanujganj, (C.G), for the offences under Section 307 of the Indian Penal Code, 1860.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 12.10.2017. After completion of investigation the charge-sheet has been filed. No case is made out against the present applicant. The applicant is ready to abide by all the conditions which may be

imposed while granting bail, hence, it is prayed that he may be released on bail.

3. Learned counsel for the State opposes the bail application and submits that there is sufficient evidence against this applicant regarding the offence registered against him, hence, no case is made out for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. The prosecution case is this that on the date of incident this applicant and deceased- (Gorakhnath) had some dispute prior to the time of incident and, thereafter, deceased- (Gorakhnath) was found in injured and unconscious condition. During the investigation it was revealed that deceased- (Gorakhnath) had some dispute with this applicant, for this reason, this applicant was apprehended. In interrogation, he has made admission on his memorandum statement and led to recovery of one wooden article. Hence, this case.
6. Apart from recovery of the wooden article, there is no further investigation to show in connection of this applicant in the commission of crime and it is clear that there is no eye-witnesses in this case. After perusal of the statement and case diary, I am of the view that it is a fit case, where the applicant is entitled for grant of bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 /-
(Rajendra Chandra Singh Samant)
Judge