

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1917 of 2018**

Sannu @ Santosh Agrawal, S/o. Radheshyam Agrawal, Aged About 39 Years,
R/o.- Gharghoda Ward No. 15, P.S. and Tahsil- Gharghoda, District- Raigarh,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Police Station- Gharghoda, District- Raigarh,
Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sanjay Agrawal, Advocate
For State/respondent	: Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**04/04/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.25/2018, registered at Police Station – Gharghoda, Raigarh, District – Raigarh (C.G.), for the offence punishable under Section 307 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 30.01.2018. No case is made out under Section 307 of I.P.C. against this applicant on the basis of the material present in the

charge-sheet and at the most the case is made out under Section 325 of I.P.C. The charge-sheet in this case has been filed and the applicant is ready to abide by all the conditions imposed while enlarging him on bail. Hence, prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect and submitted that no case is made out for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of the prosecution in brief is that on the date of incident, this applicant assaulted the injured Smt. Laxmi Devi and her husband Manoj with a rod causing fatal injuries to them. After lodging of FIR, the offence has been registered against this applicant. Hence, this case.
6. Considered on the submissions made and the contents of the case diary and also perused the medical report of the injuries caused to the injured persons in this case. The only grievous injury that has been caused to injured Manoj is fracture in right Tibia fibula and according to such report, there is no such injuries caused to the injured persons, which can be termed as fatal. Taking into consideration such facts and further considering the facts and circumstances of the case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram