

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 2750 of 2018**

Ghanshyam Dhruv S/o Saman Singh Aged About 25 Years R/o Village Karri, P. S. Kasdol, District Baloda Bazar Bhatapara Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through P. S. Kasdol, District Baloda Bazar Bhatapara Chhattisgarh

----Non-applicant

For Applicant	:	Mr. Hemant Gupta, Advocate
For State	:	Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****28/05/2018**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 483/2017 registered at Police Station Kasdol, District Balodabazar-Bhatapara, Chhattisgarh for the offence punishable under Section 304 of Indian Penal Code.
2. The present applicant is in jail since 12.08.2017 in connection with the aforesaid Crime number.
3. As per the prosecution case, on 07.11.2017, the deceased Bisahu Das and the applicant landed into scuffle and quarrel. With the invention of the people, the deceased and the present applicant were separated. Subsequently, the deceased after sometime had died. It is alleged that because of the assault attributed to the deceased, he died.

4. The learned counsel for the applicant submits that the present applicant has been falsely implicated in the instant case. The postmortem report shows that cause of death of the deceased is Cardio-respiratory arrest as a result of shock and hence the nature of death of the deceased is accident, and thus prayed for releasing the applicant on bail.
5. Perused the postmortem report so also considered the quarrel which took place between the deceased and the present applicant and also considering the statements of witnesses Jalbai Manikpuri and Mamta, this Court is of the opinion that prima facie a fit case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.
6. It is directed that the 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 Court for his appearance before the said Court as and when directed.

Sd/-
(Goutam Bhaduri)
VACATION JUDGE