

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2565 of 2018**

Nitesh Kumar Kurre S/o Kartik Ram Kurre Aged About 21 Years R/o- Qu. No. 535, Dipka Colony, Thana- Dipka, Tahsil Katghora, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Police Station- Dipka, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Respondent

For the Applicant : Shri Vikash Pandey, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.04.2018**

Heard.

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.154 of 2017, registered at Police Station – Dipka, Korba, District – Korba, Chhattisgarh for the offence punishable under Sections 452, 294, 323, 506 and 325 read with 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 26.03.2018 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. No purpose would be served if the applicant was kept in detention for the whole period of trial. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident this applicant and two co-accused persons forced their entry into the house of the complainant, by using abusive words and threats assaulted the complainant and injured Balkrishna because of which, he was hospitalized and suffered grievous injuries. Thereafter, FIR was lodged. Hence, this case.

6. It has been stated by counsel for the applicant that two co-accused persons have been granted bail by the Co-ordinate Bench of this Court. Hence, this applicant who also appears to be similarly placed is also entitled for grant of 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge