

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3153 of 2018**

Peshiram Yadav S/o Sewaram Yadav Aged About 37 Years R/o
Village Rahangi, Tahsil Lormi, Police Station Lormi District Mungeli
Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer, Police
Station Lormi District Mungeli District : Mungeli, Chhattisgarh ---
Respondent

For the applicant	:	Mr. Suryakant Mishra, Advocate.
For the Respondent	:	Mrs. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****26.06.2018**

1. This is first 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.116/2018 registered at Police Station Lormi, Distt. Mungeli (C.G) for the offence punishable under Sections 307/34 of IPC
2. As per the prosecution case, on 02.03.2018 a report was made by one Durga Prasad that Veeru @ Jhadu Ram assaulted Rameshwar Sahu, brother of the complainant with beetle Axe on his neck which was enough to cause death and the present applicant has abetted his brother co-accused to commit such offence.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated, only the allegations of abetment has been attributed to him and the main allegation of assault is on Veeru @ Jhadu Ram. He further submits that the applicant is in jail since 16.04.2018 and he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
5. The statements and the case diary would show that the main allegation of assault is attributed to Veeru @ Jhadu Ram.
6. Considering the facts and circumstances of the case and the nature of allegations levelled against the applicant, 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**