

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3345 of 2018**

Yogesh @ Chandrashekhar Nishad S/o Shiv Kumar Nishad, aged about 20 years, R/o Near Shani Mandir Ramkund, Police Station Azad Chowk Raipur, District Raipur (CG)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Azad Chowk, Raipur, District Raipur (CG)

---Non-Applicant

For Applicant	:	Mr.Y.C.Sharma, Advocate
For Non-Applicant	:	Mr.Ashish Surana, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

25/06/2018

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.232/2017, registered at Police Station-Azad Chowk, Raipur, District-Raipur (CG), for the offence punishable under Section 307/34 of the IPC.

2. Case of the prosecution, in brief, is that the the applicant and other co-accused persons have caused grievous injuries to complainant Sonu Das Manikpuri which were sufficient to cause his death.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that the injuries are simple in nature, the applicant is in jail since 3.11.2017 and charge-

sheet has been filed.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that grievous injuries were caused by the applicant.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, 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 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 trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-