NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.No.3321 of 2018

Vijay Sarthi, son of Kriparam Sarthi, aged about 23 years, resident of Motisagarpara Korba, Tehsil and District Korba, Chhattisgarh

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Kotwali, District Korba, Chhattisgarh

---Non-Applicant

For Applicant	:	Mr.A.S.Rajput, Advocate
For Non-Applicant	:	Mr.Anand Dadariya, Dy.Govt.Advocate

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.255/2018, registered at Police Station-Kotwali, District-Korba (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 one other co-accused caused grievous injuries to the complainant which were sufficient to cause her 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 on account of some trivial dispute, offence has been registered against the applicant and injuries are simple in nature. The applicant is in custody since

19.4.2018 and charge-sheet has been filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

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, pre-detention of the applicant, dispute between husband & wife and nature of injuries, 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/-