

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3761 of 2018**

Prem Sonwani @ Puru, S/o. Shri Arjun Sonwani, Aged About 30 Years, R/o.- Chota Ashok Nagar, Behind Ghasidas Chabutara, Post Office- Raipur, Police Station- Gudhiyari, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- The Station House Officer, Police Station- Gudhiyari, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shivendu Pandya, Advocate
For State/respondent	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**05/07/2018**

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.248/2017, registered at Police Station – Gudhiyari, District – Raipur (C.G.), for the offence punishable under Section 147, 148, 149, 294, 323, 506, 307, 302 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 03.10.2017. The case is before the trial Court and the trial is still not completed. The applicant is not the main accused. Similarly placed Co-accused persons in this case have been enlarged on bail. Hence, it is prayed that the applicant may also be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, on the date of incident because of some dispute, the deceased Sukham Bhavnekar was assaulted with wooden plunk by one co-accused, which resulted in his death. The allegation against this applicant is that he was present on the spot along with the other co-accused persons and had furthered the common intention in the commission of the offence.
6. Considered on the submissions made and the contents of the case diary. Considering on the entire material present in the case diary and also considering this fact that the similarly placed co-accused persons namely Smt. Dropati Ratre, Chetan Ratre and Omprakash have been enlarged on bail by this Court, hence for this reason, 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 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge