

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4137 of 2018**

Sheikh Asfaq, S/o Sheikh Abdul Gaffar, Aged about 28 years, R/o Shiv Nagar,
Handipara, Tatyapara, Raipur, District – Raipur (C.G.)

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station- Gol
Bazar, Raipur, District : Raipur (C.G.)

---- Non-applicant

For Applicant	:	Mrs. Fouzia Mirza, Advocate.
For Non-applicant	:	Mr. Gary Mukhopadhyaya, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/07/2018**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 97/2018 registered at Police Station Gol Bazar, Raipur, Distt. Raipur for the offence punishable under Section 307 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant caused grievous injuries to complainant – Mohsin Khan, which was sufficient to cause death and thereby committed the aforesaid offence.

(3) Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that applicant is in detention since 26.4.2018 and, therefore, the applicant may be released on regular bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the nature and gravity of the offence, facts & circumstances of the case and further considering the fact that applicant is in detention since 26.04.2018 and the trial is likely to take some time for its disposal; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

