

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4844 of 2018**

Aman Mishra, S/o. Shri Shivsharan Mishra, Aged About 18 Years, Occupation Student, Caste Brahmin, R/o. Mayapur, (Chandni Chowk) P. S. And Tehsil Ambikapur District Surguja Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station Gandhinagar, District Surguja Chhattisgarh.

----- Respondent

For Applicant	:	Mr. Shakti Raj Sinha, Advocate
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

31/07/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.8/2018, registered at Police Station- Gandhinagar, District – Surguja (C.G.) for the offence punishable under Section 304, 201 of the Indian Penal Code and Section 3/181, 146/196, 5/180 of M.V. Act.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 14.06.2018. No case is made out against him. The applicant is just 18 years old and he has been inculcated as an accused in this case only for the reason that according to the registration number of the vehicle belonged to his father. Earlier the applicant had moved an application for grant of anticipatory bail, which was rejected and it was directed that the applicant shall surrender before the trial Court and thereafter, the

applicant is in custody. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. The allegation against this applicant is this that on the date of incident while driving the vehicle Tata Safari, he dashed with the motor cyclist Sineshwar Singh and then continued dragging him for about 250 meters, which resulted in death of the deceased. FIR was lodged against unknown person, but on the basis of the registration number of the vehicle driven at the time of the incident, this applicant has been made accused in this case.
6. Considered the submissions made and the contents of the case diary. After considering the case against the applicant in entirety, 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 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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