

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5421 of 2018**

Sonu @ Salim S/o Aftab Aged About 24 Years R/o- Hemu Nagar Torwa,
P.S.- Torwa, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station-
Sirgitti, District- Bilaspur, Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Awadh Tripathi, Advocate.
For the Respondent/State : Shri Rahul Tamaskar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.08.2018**

Heard.

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. 76 of 2018, registered at Police Station Sirgitti, District Bilaspur, Chhattisgarh for the offence punishable under Sections 307 and 456/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 29.6.2018. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused persons have been granted bail by this Court in M.Cr.C. No.2740 of 2018 dated 18.5.2018. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The case against the applicant and the other co-accused persons is that on the date of incident, two unknown persons came to the house of complainant – Bisru Nirmalkar and assaulted him with a knife like weapon causing injuries to him. After lodging of FIR, the name of the applicant was revealed in the memorandum of one co-accused person and one seizure of baseball bat has been made from his possession.
6. Considered the entire material present in the case-diary. For the present, similarly placed co-accused persons have been granted bail by this Court in M.Cr.C. No.2740 of 2018 dated 18.5.2018, I am of the view that in this case the applicant deserves to be enlarged on 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 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge