

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.No.5539 of 2018**

Mukesh Yadaw S/o Naresh Yadaw, Age 22 year, R/o Telicot, Tah. Kharsia, Distt.-Raigarh (CG)

---Applicant

**Versus**

State of Chhattisgarh Through Police Station – Kharsia, Distt.-Raigarh (CG)

---Non-Applicant

---

|                   |   |                             |
|-------------------|---|-----------------------------|
| For Applicant     | : | Mr.Sanjay Agrawal, Advocate |
| For Non-applicant | : | Mr.Avinash Singh, P.L       |

---

**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**04/09/2018**

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.281/2018, registered at Police Station-Kharsia, District-Raigarh (CG), for the offence punishable under Sections 294, 323, 506 and 307/34 of the IPC.

2. Case of the prosecution, in brief, is that the applicant and other co-accused persons caused grievous injuries to complainant Mahendra Das, which were sufficient to cause death and thereby committed the offences.

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 the applicant is in jail since 15.5.2018, charge-sheet has already been filed and co-

accused Smt.Sarojani has already been released on bail by this Court vide order dated 4.7.2018 in M.Cr.C.No.4168 of 2018. Therefore, the present applicant is entitled for grant of bail.

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, role of the present applicant, the fact that he is in jail since 15.5.2018 and no further custodial interrogation is required and co-accused has been released on bail, 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/-