

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6306 of 2018

- Ramdev Singh S/o Raghuvar Singh Aged About 36 Years Caste-Gond, R/o- Village Dasher, Police Station And Tahsil Sonhat, District-Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Sonhat, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicant	: Shri T.K.Jha, Advocate
For Respondent/State	: Shri Vivek Sharma, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.58/2018 registered at police station Sonhat, district Koriya (CG) for the offence punishable under Sections 302,323,341,34 IPC.

As per prosecution case, on 19.04.18, at about 4.00 a.m. when the complainant along with one Budhsagar was returning home in a motorcycle present applicant was standing along with Suresh Singh, they stopped the bike and as soon as he got down from the bike, the applicant assaulted with club whereas Budhsagar fled from the spot. On hearing the cries, parents of the complainant intervened but the applicant assaulted his father with kicks, fists and club resulting his death

Counsel for the applicant submits that as the complainant had taken the motorbike of the applicant without his permission, he assaulted him and

there was no any intention to cause grievous hurt. He submits that deceased died to injury to spleen as per postmortem report. He further submits that the applicant is in jail since 20.04.18 and the trial will take time for final disposal and therefore he may be released on bail.

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

Considering the totality of the facts and circumstances of the case, in particular the nature of allegation against the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge