

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6568 of 2018

- Sandeep Lakda S/o Shri Vijay Kumar Lakda Aged About 27 Years R/o Village Bade Rampur, Raigarh, Tahsil And Police Station Raigarh, District Raigarh, Civil And Revenue District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Kotwali, Raigarh, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Manoj Kumar Sinha, Advocate.

For Non-applicant/State –Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

25-09-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. His first bail application before this Court was dismissed as withdrawn with liberty to revive the same after examination of the main witnesses. The applicant has been arrested on 12-03-2018 in connection with Crime No.247/2018 registered at P.S. - Kotwali, Raigarh, District Raigarh Chhattisgarh for the offence under Section 459, 307 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 12-03-2018. The main witnesses in this case have been examined before the trial Court and their evidence is not reliable and trustworthy. It is also submitted that the trial against the applicant is getting delayed as so far only 6 witnesses have been examined out of total 17 witnesses in the list of prosecution case. Hence, it is prayed that the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Heard learned counsel for the parties and perused the case diary.

5. The allegation against the applicant is this, that it is alleged that on the date of incident this applicant alleging that son of the complainant Santosh had eloped with his sister caught hold of him and dragged him to the staircase and thereafter also assaulted him from the blunt side of the axe causing injuries to him. After lodging of the FIR the case has been registered against applicant.

6. For the reason that trial against this applicant is likely to take some time to complete and looking to the delay in conclusion of the trial against the applicant, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge