

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.7878 of 2018**

Prem Chouhan son of Ramdulare Chouhan, aged about 35 years, R/o. Village Godhi, P.S. and Tahsil Lailunga, District Raigarh (CG)

---Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Lailunga, District Raigarh (CG)

---Non-Applicant

For Applicant	:	Mr.R.K.Behra, Advocate
For Non-Applicant	:	Mr.Adi Raj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

30/10/2018

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.170/2018, registered at Police Station-Lailunga, District-Raigarh (CG), for the offence punishable under Sections 294, 506-B and 326 of the IPC.

2. Case of the prosecution, in brief, is that the applicant assaulted victim Balram Chauhan by axe in which he suffered grievous injuries which were sufficient to cause his death and also abused and threatened him.

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 there is no material against him, he is in jail since 20.8.2018 and charge-sheet has

been filed.

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, material collected against the applicant and his pre-trial detention, 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/-