

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8736 of 2018

- R. Dinesh @ Nana Patekar S/o R. Mohan Rao aged about 22 Years R/o Behind Dena Bank Street No. 8 Sweeper Mohalla ,chavni ,district Durg Chhattisgarh. (Wrongly Mentioned In Court Slip As As Manoj Verma ,s/o Jagdev Verma Aged About 30 Year ,R/o Savitri Sadan ,house No. 57 Atal Awas ,police Station Urla ,mohan Nagar , Durg District Durg Chhattisgarh.), District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Police Station Pulgaon, Durg District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. B.P. Singh, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

19/11/2018

1. This is 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.92/2018 registered at Police Station– Pulgaon, District– Durg(C.G.) for the offence punishable under Sections 302, 323, 506/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 22.12.2017. No case is made out against him. Similarly placed co-

accused persons K. Karan and Suraj Sisodiya have been granted regular bail by this Court in MCRC No.4842 of 2018 & 4898 of 2018 vide order dated 3.8.2018, hence, it is prayed that this applicant may also be benefited with grant of regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that it is case of heinous offence alleged to have been committed by this applicant and the co-accused persons, hence, the application be rejected.
4. Heard both the parties and perused the case diary.
5. It is alleged that on the date and time of incident Manoj Verma and others inmates of the place of safety in Juvenile Home, Durg, assaulted and injured Parath Sahu and C.H. Ramarao, as a result of which Parath Sahu succumbed to injuries. Hence, this case.
6. After perusing the statement of other injured witness C.H. Ramarao and considering this fact that similarly placed co-accused persons have been granted bail by this Court, for these reasons, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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/-

(Rajendra Chandra Singh Samant)
Judge