

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 67 of 2019

- Prakash Tiwari S/o Shri Kameshwar Tiwari Aged About 27 Years R/o Nawaki, P. S. Rajpur, District Balrampur-Ramanujanj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Shankargarh, District Balrampur-Ramanujanj Chhattisgarh, District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicants	: Shri A.N. Pandey, Advocate.
For Non-applicant	: Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 167/2017 registered at Police Station – Shankargarh, District Balrampur-Ramanujanj (C.G.) for the offence punishable under Sections 304 of the Indian Penal Code and Section 135 of the Electricity Act.
3. Case of the prosecution, in brief is that deceased Ganga Sagar was the labour of applicant. On 2012.2014 at village Shankargarh, Sarladih applicant who was the electrical contractor was getting repair work on electrical pole through the deceased without providing him safety appliances. Deceased died due to electrical current.
4. Learned counsel for the applicant argued that the applicant has no criminal background, he is innocent, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Counsel for the applicant further submitted that earlier complaint case filed by the father of the deceased was dismissed by this Court.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-
 (Sharad Kumar Gupta)
JUDGE