

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 604 of 2019

- Pappu @ Pankaj Sahu S/o Shri Tukesh Sahu, Aged About 20 Years, R/o Chandi Nagar, Mowa, Police Station Pandri, Raipur, Tahsil and District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Pandri, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Mr. Pushendra Kumar Patel, Advocate.
For Non-applicant/State – Ms. Smita Jha, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-02-2019

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 His earlier bail application before this Court, MCRC No.4913/2018 was dismissed as withdrawn on 01-08-2018. The applicant has been arrested on 18-01-2018 in connection with Crime No.27/2018 registered at P.S. - Pandri, Raipur, District Raipur, Chhattisgarh for the offence under Section 307, 294 R/w Sec. 34 of the IPC and Section 25 and 27 of the Arms Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 18-01-2018. The victim has been examined before the trial Court and he has not made any statement against this applicant. 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. As alleged in the prosecution case, on the date and time of the incident

main accused Sonu Dhankar came along with this applicant and other co-accused persons and after picking up a quarrel with the complainant assaulted victim Deepak Yadav with a knife causing him grievous and fatal injuries.

6. Victim Deepak Yadav has been examined before the trial Court as PW-3 and the certified copy of the deposition has been produced along with, in which, he has not made any statement against this applicant and the prosecution has declared him hostile on this point. Hence, looking to this development, I feel inclined to allow this application.

7. Consequently, the 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