

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 902 of 2019**

Ashok Deep @ Lallu Deep, S/o Turu Deep, aged 23 years, R/o Gorkha Colony,
Near Welcome Tayer, Shankar Nagar, Raipur, District Raipur (C.G.)
(In-jail)

---- Applicant**Versus**

State of Chhattisgarh, Through – The Police Station – Civil Line, District Raipur
(C.G.)

----Non-applicant

For Applicant	:	Mr. Y.C. Sharma, Advocate.
For Non-applicant	:	Mr. I. Lakra, Deputy Government Advocate.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****24/05/2019**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 614/2018 registered at Police Station Civil Line, District Raipur (C.G.) for the offence punishable under Section 307 / 34 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that when on 22.09.2018 at about 9.30 p.m. victim namely Virendra @ Beeru Deep joined the procession of Ganesh Visharjan near Geeta Medical Main Road, Shankar Nagar Raipur, at that time present applicant along with other co-accused persons came there and caught hold of him and thereafter assaulted him with the help of knife, as a result thereof the victim sustained multiple injuries which are sufficient to cause his death and, thereby committed the

aforesaid offence.

(3) Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that the medical report of the victim does not support the case of the prosecution. He also submits that applicant is languishing in jail since 5.12.2018 and the charge sheet is yet to be filed but substantial investigation has already been made and no useful purpose would be served in keeping him in jail and therefore, he may be released on bail.

(4) On the other hand, learned counsel for the State, opposes the bail application.

(5) Taking into consideration the nature and the gravity of the offences and considering the nature of allegation made against the applicant and the facts that applicant is in jail since 5.12.2018 and charge sheet is yet to be filed but substantial investigation has already been made and particularly the fact that the applicant has no previous criminal antecedents; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Vacation Judge

D/-

