

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.1576 of 2019**

Parmatma @ Ghaghua son of Shri Jagdhu Ghasiya, aged about 26 years, R/o Dindo, Ghasiyapara, Police Chowki Dindo, P.S. Trikunda, District Balrampur Ramanujganj (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Chowki Dindo, Police Station Trikunda, District Balrampur Ramanujganj (CG). **---- Non-applicant**

For Applicant : Mr. A.K. Yadav, Advocate.
For Non-applicant : Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.10/2018 registered in Police Chowki Dindo, P.S. Trikunda, Police District Balrampur Ramanujganj for the offence punishable under Section 304 of IPC.
3. Prosecution story in brief is that on 04.04.2018, the applicant had beaten deceased Shanklal by wooden club at village Dindo. Thereafter, he beat him by legs and hands and caused injury on his chest and abdomen. On the next date, deceased was brought on hospital where he died. As per postmortem report, the nature of death of deceased was natural and cause of death was cardio respiratory failure. As per photocopy of query report, Doctor opined that it appears that death of the deceased was caused due to cirrhosis of liver.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the bail application. However, she submitted that no criminal antecedent of the applicant is reported in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, the bail application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he would co-operate during the trial, he shall be released on bail and he shall not commit such type of offence in future.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-