

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3600 of 2019

Smt. Sati Bharti, widow of late Devcharan Bharti, aged about 52 years, R/o Village Patharra, Tahsil Dhamdha, P.S. Bhilai-3, District Durg (C.G.)

---- Applicant
(In Jail)

Versus

State of Chhattisgarh, Through the District Magistrate, Durg, District Durg (C.G.)

---- Non-applicant

For Applicant:	Mr. Jitendra Gupta, Advocate.
For Non-applicant:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/06/2019

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.514/2018, registered at Police Station Purani Bhilai, District Durg, for the offence punishable under Sections 294, 323, 506, 324, 325 and 326 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant along with other co-accused persons abused and caused grievous hurt to Mohd. Hakimuddin and his mother Noorjahan by dangerous weapon (axe) and bricks and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The applicant is in jail since 23-3-2019. He further submits that the case of the present applicant is identical to that of the co-accused persons Akshyay Bharti, Sangeet Madhukar and Ashim @ Battu who

have been granted bail by this Court vide order dated 20-5-2019 passed in M.Cr.C.No.3208/2019.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pretrial detention of the applicant and considering the fact that co-accused persons have already been granted bail by this Court, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 her appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge