

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6720 of 2020

- Naresh Dhruv S/o Ramprasad Dhruv Aged About 40 Years R/o Village Tarpogi, Police Station Dharsiwa, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh (Through Police Station Dharsiwa, District Raipur, Chhattisgarh)

---- Respondent

For Applicant : Mr. Pankaj Singh, Advocate

For Respondent : Ms. Sunita Jain, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17.12.2020

1. The applicant has preferred this application u/s 439 of Cr.P.C. for grant of bail as he is arrested on 25.06.2019 in connection with Crime No. 295/2019 registered at Police Station Dharsiwa District Raipur (C.G.) for offence punishable under sections 294, 506, 304 of IPC.
2. As per the prosecution case on 11.06.2019 the applicant in a drunken stage meet the deceased namely Lt. Amoli Dhruv Dewangan and demanded liquor from the deceased, having refused, the deceased was severely beaten and eventually after 5 days he died in the hospital.
3. Learned counsel for the applicant submits that there was no intention to kill and the applicant was only holding a bamboo stick by which he caused the injury, therefore, the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that the head injury resulted into the death which was due to beating.
5. Perused the statement of wife of the deceased and the death was caused after few days of incident and not immediately.
6. Taking into the background of the incident and considering that charge sheet has been filed and nature of evidence no further evidence would be required, I am inclined to grant bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-
(Goutam Bhaduri)
Judge

Jyoti