

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7531 of 2019

- Mohhamad Sonu S/o Gulam Rasool Aged About 24 Years R/o Tikarapara, Near Gitti Khadan, Santoshi Nagar Police Station- Tikarapara, District Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Kabirdham, District Kabirdham, Chhattisgarh.,

---- Respondent

For Applicant	: Shri Devershi Thakur, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

14/01/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.388/2019 registered at police station Kabirdham, district Kabirdham (CG) for the offence punishable under Sections 294,323,506,307and 302 IPC.

Case of the prosecution in brief is that some dispute arose between the applicant and the deceased and the applicant assaulted him with hand fists and kicks as a result of which he sustained injuries and fell unconscious. It is alleged that the deceased was shifted to Medical Hospital Raipur where he died on account of brain hemorrhage.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that over some trivial issue the dispute arose and in which the deceased sustained injuries. He submits that the applicant is in jail since 28.08.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge