

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8055 of 2019**

Mohit Yadav, S/o Ramkrit Yadav, Aged about 28 years, R/o Village Madneshwarpur,
O.P. - Bariyon P.S. - Rajpur, Distt. - Balrampur – Ramanujganj (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : Police Station Incharge, O.P. - Bariyon, P.S.-
Rajpur, Distt.- Balrampur-Ramauganj (C.G.)

----Respondent

For Applicant	: Ms. Sonia Kuldeep, Advocate.
For Respondent	: Mr. Vaibhav Kartike Agrawal, PL

Hon'ble Smt. Justice Rajani Dubey**Order On Board****28/01/2020**

(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. 229/2019 registered at Police Station O.P. - Bariyon, P.S. - Rajpur, Distt. - Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 304-A of the Indian Penal Code and Section 138 of the Electricity Act.

(2) Case of the prosecution, in brief, is that on 29.09.2019 the applicant had connected his water pump with the damaged electric wire for irrigation purposes and Fulwati (since deceased) connected with the said electric wire (live) and died on the spot itself and thereby committed the aforesaid offence.

(3) Learned counsel appearing on behalf of the applicant submits that applicant has falsely been implicated in the crime in question as there is no evidence available on record

to connect the applicant with the crime in question. He further submits that applicant is in detention since 21.11.2019 and the charge sheet is yet to be filed but substantial investigation has already been made and the trial is likely to take some more time for its final disposal, therefore, the applicant is entitled to 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 further considering the facts that applicant is in detention since 22.1.2019; trial is likely to take more time for its final disposal; without further commenting on merits; this court is of the view that it is a fit case to release the applicant 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)
Judge

