

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8176 of 2019

- Sonu @ Nawakishan Chandra S/o Suman Chandra Aged About 22 Years R/o Vill Borsi, P.S. Birra, Dist. - Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Birra, Dist. Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant	: Shri Ravindra Sharma, Advocate
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

13/02/2020

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.48/2019 registered at police station Birra, district Janjgir-Champa(CG) for the offence punishable under Sections 147,294,323,427,186,353,302 and 506(B) IPC.

As per prosecution case, the vehicle Scorpio, which was driven by deceased Prakash Bharti met with an accident resulting in death of two persons. It is alleged that on seeing the accident, the villagers came over there, assaulted deceased Prakash Bharti with lathi, club, hand-fists and kicks resulting his death. Report was lodged against the applicant and other accused persons.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that name of the applicant does not find place in the FIR. He submits that the applicant is in jail since 02.01.2020 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 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