

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8243 of 2019**

Sumit Roy Chowdhury , S/o Haradhan Roy Chowdhury, aged about 33 years, R/o House No. 10/525, Ward No. 7, Sanyasipara, Police Station Khamtarai, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : the Station House Officer, Police Station Azad Chowk, Raipur, District Raipur (C.G.)

----Non-applicant

For Applicant : Mr. Faisal Akhtar, Advocate.
For Non-applicant/State : Mr. B.L. Sahu, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****04/02/2020**

(1) The accused/applicant has preferred 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. 332/2019 registered at police Station Azad Chowk, Raipur, District Raipur (C.G.) for the offence punishable under Sections 304, 308 & 326 read with Section 34 of the Indian Penal Code.

(2) Allegation against the applicant, as per prosecution, is that applicant was giving heavy dosage of medicines to one Sandeep Singh knowing fully well adverse effect of the said medicines / drug to his body internally, as a result thereof, he admitted in the Suyash Hospital, Raipur in a critical condition. The said Sandeep Singh was a body builder by his profession, running a Gym at Raipur in Samta Colony and due to the re-action of the said medicine, he fell in a grievous illness and sickness. It is alleged that the said heavy dosage

of medicines is working as slow poison and its heavy dosages is dangerous to life.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the crime in question as he has not committed any offence. He further submits that the applicant is in jail since 09.11.2019; trial is likely to take some time for its final disposal and no useful purpose would be served in further detaining him in jail and no custodial interrogation is required, therefore, the applicant is entitled to be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) I have heard learned counsel appearing for the parties and perused the case diary with utmost circumspection.

(6) Taking into consideration the facts & circumstances of the case, further considering the fact the applicant is in detention since 09.11.2019; trial is likely to take some time for its final disposal; no further custodial interrogation is required; and 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 bail application is allowed.

(7) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

