

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 6737 of 2021

- Punaram Sahu, son of late Kashiram Sahu, aged about 43 years which has not been mentioned in the impugned Annexure A-1, resident of village Khamtarai, Arang, P.S. Arang, District Raipur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : Station House Officer, Police Station Arang, District Raipur (C.G.)

---- State/Non-applicant

For Applicant	:	Shri P.K. Patel and Shri D. Kushwaha, Advocates
For Respondent/State	:	Shri Afroz Khan, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J

Order on Board

26.10.2021

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. as he is in jail since 19.11.2020 in connection with Crime No. 533/2020 registered in Police Station – Arang, District Raipur (CG) for the offence punishable under Sections 294, 323, 506, 307, 302, 34 of IPC.
2. Allegation against the present applicant is that on 10.11.2020 he alongwith other accused persons by using filthy language assaulted deceased Chhabiram Lodhi as a result of which he sustained injuries. The deceased was admitted in hospital and during treatment he died on 21.11.2020.
3. Learned counsel for the applicant submits that the allegation against the applicant is false and fabricated, he has been falsely implicated in this case. He submits that there is no direct proof of applicant's involvement in the alleged crime. He also submits that applicant is in jail since 19.11.2020, charge-sheet has already been filed, conclusion of the trial is likely to take some time, therefore, at this stage, he may be granted bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, particularly considering the allegation made against the present applicant, the fact that the injuries sustained by the deceased due to which he died, and that trial is in progress as number of witnesses have been examined and in near future case is likely to be disposed of by the trial Court, the evidence so far recorded before the trial Court cannot be appreciated at this stage by this Court, therefore, I am not inclined to grant bail to the present applicant.
6. Accordingly, the bail application is dismissed.

Sd/-

(Gautam Chourdiya)
Judge