

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.7645 of 2021

Dineshwar Das, S/o Shri Khikhdas Manikpuri, aged about 28 years, R/o Village Giraudpuri, Police Station Gidhouri, District Balodabazar-Bhatapara (C.G.)

(In Jail)
---- Applicant

Versus

State of Chhattisgarh, through Station House Office, Police Station Gidhouri (wrongly written as Balodabazar in the order sheet), District Balodabazar-Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. Govind Ram Miri, Senior Advocate with
Mr. Badruddin Khan, Advocate.
For Non-applicant: Mr. Ravi Kumar Bhagat, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

16/12/2021

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.58/2021, registered at Police Station Gidhouri, Distt. District Balodabazar-Bhatapara, for the offence punishable under Section 307 of the IPC.
2. Case of the prosecution, in brief, is that the accused / applicant assaulted the complainant / victim by iron rod / stone by which the complainant / victim suffered grievous injury which was sufficient to cause death and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. The victim has suffered single injury. The applicant is in jail since 6-7-

2021, charge-sheet has been filed and no custodial interrogation of the applicant is required.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, pretrial detention of the applicant, charge-sheet has been filed and no custodial interrogation of the applicant is required, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge