

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8221 of 2020

- Bhagwan Singh Kanwar S/o Pratap Singh Kanwar Aged About 26 Years R/o Village- Murmur, tahsil- Pendra, District- Gaurela Pendra Marwahi, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Of Police Station, Pendra, District- Gaurela Pendra Marwahi, Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Yogendra Chaturvedi, Advocate
For Respondent-State	:-	Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

11/02/2021

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.123/2020, registered at Police Station Pendra, District Gaurela-Pendra-Marwahi C.G. for the offence punishable under Sections 302, 201, 34 of the I.P.C.
2. Present applicant along with co-accused Arvind had an altercation with deceased at about 5:30 pm on 14.07.2020, thereafter, Arvind picked up a stone and assaulted the

deceased due to which his spleen got ruptured and also sustained head injury. The deceased died in the same night. The incident was witnessed by one Manmati.

3. In the entire prosecution case the allegation of actual assault has been leveled upon co-accused Arvind and not on this applicant. The present applicant participated in altercation but not in causing assault by stone.
4. Learned State counsel would oppose the prayer for grant of bail.
5. Considering the nature of allegation against the present applicant, he is entitled to be released on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Ayushi