

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.2426 of 2016

Sachin Behra, aged about 22 years, S/o Shri Basto Behra, R/o New Shanti Nagar Road, Jhanda Chowk Road, Pandari, Behara Colony, Raipur, Tehsil & Dist.-Raipur (CG)

---Applicant

Versus

State of Chhattisgarh, through District Magistrate, Raipur (CG)

---Non-applicant

For Applicant	:	Mr.Vikram Singh, Advocate
For Non-applicant	:	Mr. Anil S. Pandey, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

31/05/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.653/2015, registered at Police Station-Civil Lines, Raipur, District-Raipur (CG), for the offence punishable under Sections 307, 148 and 149/34 of the IPC and Sections 25 & 27 of the Arms Act.

2. Case of the prosecution, in brief, is that on 26.10.2015 the applicant and co-accused assaulted victim Rajesh Chhatani with intention to cause his death and stab with knife resulting with grievous injuries.

3. Learned counsel for the applicant submitted that the applicant has not committed any offence and he has falsely been implicated in crime in question. He further submitted that even according to statement of victim Rajesh Chattani assault has been made by co-accused Nitin Sahu. The applicant is in jail since 30.12.2015 and charge-sheet has

already been filed.

4. On the other hand, learned counsel for the State opposed the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role alleged against the present applicant, his pre-trial detention, the fact that charge-sheet has already been filed and that similarly situated co-accused Rakesh Agrawal @ Rinku Agrawal and Sudesh Chouhan @ Golu Bangali have been granted regular bail by co-ordinate Bench of this Court vide order dated 16.3.2016 passed in M.Cr.C.Nos.1495 and 1517 of 2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Manindra Mohan Shrivastava)
VACATION JUDGE

B/-