

Ramkumar Yadav Vs State Of Chhattisgarh And Ors

Court: Chhattisgarh High Court

Date of Decision: Oct. 22, 2019

Acts Referred: Code Of Criminal Procedure, 1973 " Section 439
Constitution Of India, 1950 " Article 34, 294, 307, 323, 506B

Hon'ble Judges: Rajani Dubey, J

Bench: Single Bench

Advocate: Sumit Singh Rathore, Rashmi Sen, Akshara Amit

Final Decision: Allowed

Judgement

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection

with Crime No. 49/2019 registered at police Chowki Kedma, PS Udaipur, district Surguja (CG) for the offence punishable under Sections 294,506-

B,323 and 307/34 IPC.

Prosecution case in brief is that the applicant along with other accused persons assaulted the brother of the complainant with a club as a result of

which he sustained grievous injury on his head and was admitted in the hospital for eight days.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that the applicant is in jail since

08.07.19 and the trial may take some time for its disposal and therefore he be released on bail.

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

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on

regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 25,000/- with one surety in the like sum to the satisfaction of the

concerned court for his appearance before it as and when directed, he shall be released on bail.