
(2013) 10 CHH CK 0013

In the Chhattisgarh High Court

Case No : Misc. Criminal Case No. 4737 of 2013

Ram Singh

APPELLANT

Vs

State of C.G.

RESPONDENT

Date of Decision : 21-10-2013

Acts Referred:

Citation : (2014) 1 CGLJ 378

Hon'ble Judges : T.P. Sharma, J

Bench : Single Bench

Advocate : Samir Singh, for the Appellant; Satish Gupta, Govt. Advocate, for the Respondent

Final Decision : Allowed

Judgement

T.P. Sharma, J.—The applicant has filed this application u/s 439 of the Cr. P.C. for grant of regular bail, as he is in custody in connection with Crime No. 62/2013 (ST No. 65/2013 pending in the Court of Sessions Judge, Korba), registered at Police Station Kartala, Distt. Korba, for the offence punishable u/s 302 of the IPC. I have heard learned counsel for the parties and perused the case diary.

2. Learned counsel for the applicant submits that this is the first bail application filed on behalf of the applicant for grant of regular bail. No other application of this nature is pending before this Court or before the Court below. The application is duly supported by the affidavit of Chatur Singh, son of the applicant. Learned counsel further submits that the applicant has not committed any offence; he has been falsely implicated in the crime in question and he is in custody since 3-5-2013. Even as per case of the prosecution, on account of quarrel, the applicant assaulted his daughter-in-law by battleaxe over leg and she died after 24 days of incident.

3. On the other hand, learned State counsel opposes the application and submits that the applicant has committed aforesaid offence and the prosecution has collected sufficient material against the applicant.

4. Considering period of detention of the applicant, nature of injury, part of the body effected and death of the deceased after 24 days of incident, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.

5. It is, therefore, directed that if the applicant furnishes a personal bond of Rs. 20,000/- with a solvent surety in the like sum to the satisfaction of the Sessions Judge, Korba, for his regular appearance before it as and when directed, he shall be released on bail. The applicant shall cooperate in trial and in case of two continuous defaults in appearance of the applicant before the trial Court, this order shall automatically stand cancelled.