

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3125 OF 2015**

Chiranjiv Lal Jain son of late Akhraj Jain, aged about 70 years, Occupation Business R/o Manpur, P.S. and Tahsil Manpur, District Rajnandgaon (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through The Station House Officer, P.S. Manpur, District Rajandgaon (C.G.)

---Non-applicant

For Applicant	:	Mr. Shailendra Dubey, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/07/2015**

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. 50/2015, registered at Police Station Manpur District Rajnandgaon (C.G.), for the offence punishable under Sections 294, 506, 295 of I.P.C. and Section 3 (1) (x) of SC/ST (Prevention of Atrocities) Act.

2. Case of the prosecution, in brief, is that applicant is said to have damaged *Matha* constructed by complainant, who is member of aboriginal-tribe and on being stopped, applicant assaulted complainant, who is member of scheduled tribe and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that he has not damaged deliberately, it is accidentally

damaged the some part of *Matha*. He would lastly submit that applicant is in jail since 18/06/2015, therefore, he may be released on bail.

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

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

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; age of the applicant; role of the applicant and pretrial detention of the applicant, this Court is of the opinion that present is the 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 applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE