

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3313 OF 2015**

Manoj Kumar @ Sunny Sinh, S/o Shri Ram Swaroop Sinh, Age 26 years, R/o New G.N.R. Transport, Tatibandh, P.S. Aamanaka, Dist. Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh Through Station House Officer, P.S. Kabeer Nagar, Dist. Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Pravesh Sharma, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/07/2015**

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. 46/2015, registered at Police Station Kabeer Nagar, Raipur, for the offence punishable under Sections 452, 325, 294, 506-B & 427 of I.P.C.

2. Case of the prosecution, in brief, is that on 29/05/2015, present applicant along with co-accused entered into the shop of complainant Manoj Dubey; abused him and threatened to kill and also caused damage to the property owned by the complainant.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that applicant is not named in the First Information Report. He would lastly submit that applicant is in jail since

01/06/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application and submit that applicant has assaulted the complainant by wooden stick.

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; role of the present applicant in offence in question and applicant is not named in the First Information Report, 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