

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3754 of 2015**

Gopaldas @ Gabbar, aged about 30 years, son of Manguram Mahant, resident of Village-Kanshigarh,, Police Station & Tahsil-Jaijaipur, District-Janjgir-Champa (CG)

---Applicant

Versus

State of Chhattisgarh, Through : Station House Officer, Police Station-Jaijaipur, District Janjgir-Champa (CG)

---Non-applicant

For Applicant	:	Mr. H.S.Patel, Advocate
For Non-applicant	:	Mr. S.Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****04/08/2015**

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.68 of 2015, registered at Police Station-Jaijaipur, Distt.Janjgir-Champa (CG), for the offence punishable under Sections 147, 427, 323, 294, 365, 458 and 506 of the IPC.

2. Case of the prosecution, in brief, is that on 2.4.2014 at about 8 p.m. the applicant and other co-accused persons entered into the shop of complainant Pintu Verma and caused damage and also taken away him and Sunil Singh to other place and assaulted them and thereby committed the aforesaid offence.

3. Learned counsel for the applicants would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit the applicant and others have lodged complaint against

the complainant for selling illicit liquor, the applicant in jail since 19.5.2015 and charge-sheet has already been filed.

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; role of the present applicant, report made by the present applicant, his pre-trial detention and the fact that charge-sheet has already been filed, 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

B/-