

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4635 of 2015

Mithun Das Mahant, aged about 28 years, S/o Mangu Das, Caste Panika, R/o Village Kanshigarh, P.S. and Tahsil Jaijaipur, District Janjgir-Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through the District Magistrate, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant:	Mr. Ishwar Jaiswal, Advocate.
For Non-applicant:	Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

07/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.68/2015 (Criminal Case No.219/2015 pending in the Court of Judicial Magistrate First Class, Jaijaipur), registered at Police Station Jaijaipur, Distt. Janjgir-Champa, 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 took him and one Sunil Singh away to some other place and assaulted them, and thereby committed the aforesaid offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the crime and he

is in jail since 10-5-2015. He further submits that the applicant and others have lodged complaint against the complainant for selling illicit liquor. He also submits that co-accused Gopaldas @ Gabbar has already been enlarged on regular bail by this Court by order dated 4-8-2015 passed in M.Cr.C.No.3754/2015 and case of the present applicant is similar to that of co-accused Gopaldas @ Gabbar.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, pre-trial detention of the applicant and further taking note of the fact that co-accused Gopaldas @ Gabbar has been granted regular bail, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge