

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6475 of 2015

Satyanarayan @ Firtu, S/o. Manoharlal Rajak, Aged About 25 Years, R/o. Kudkai, Police Station- Pendra, District- Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station- Pendra, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Sunil Verma, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.148/2015 registered at Police Station- Pendra, District Bilaspur (C.G.) for the offence punishable under Section 294, 323, 506-B, 307/34 of Indian Penal Code.
2. As per the prosecution case, in brief, on 02.08.2015 a report was lodged that at about 7 pm one Rameshwar Rajak abused the complainant because of the previous enmity and thereafter also threatened him and thereafter he went away and subsequently at 7:30 pm when injured reached near Pandri Talab at that time Rameshwar Rajak and others alongwith the applicant came with Club and thereafter assaulted him and thereby offence was committed.
3. Learned counsel for the applicant submits that the charge sheet in this case has been filed and the applicant is in jail since

23.08.2015. He further submits that the similarly placed accused Naresh Rajak has been enlarged on bail on 17.11.2015 by this Court in M.Cr.C. No.6104/2015; therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail; however, he do not deny the fact that the similarly placed co-accused has been enlarged on bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the fact that the charge sheet has been filed and further considering the fact that the similarly placed co-accused has been enlarged on bail by this Court and the applicant is in jail since 23.08.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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/-
(Goutam Bhaduri)
Judge