

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7256 of 2015

1. Sonu Thakur, S/o. Upendra Singh, aged about 24 years, R/o. Village Dashrangpur, P.S. Pandatarai, Tahsil Pandariya, District – Kabirdham Civil and Revenue District – Kabirdham (CG)
2. Rizwan Khan, S/o. Moh. Rafik Khan, aged about 29 years, R/o. Village-Machodi, P.S. Pandatarai, Tahsil – Pandariya, District – Kabirdham Civil and Revenue District – Kabirdham (C.G.)

----Applicants

Versus

1. State Of Chhattisgarh, Through : the Station House Officer, Police Station – Pandariya, District – Kabirdham (C.G.) Civil and Revenue District – Kabirdham (C.G.)

---- Respondent

For Applicants	: Mr. Santosh Bharat, Advocate
For Respondent/State	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/12/2015

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 applicants who have been arrested in connection with Crime No.242/2015, registered at Police Station – Pandariya, District – Kabirdham (C.G.) for the offence punishable under Section 186, 353, 294, 506, 448/34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 26.10.2015, the applicants entered into the house of the CMO, T.R. Chauhan and uttered filthy abuses and also threatened him and on the basis of written report, the police has registered the case against the accused persons.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case because of the fact that they have objected certain facts of working of the CMO and they were

called to discussed the same matter and thereafter the report has been made. He would further submit that the applicants are in jail since 27.10.2015, therefore, the counsel prays that the applicants may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into consideration the nature and the gravity of offence and further considering the fact that the charge sheet in this case has been filed and the applicants are in jail since 27.10.2015, this Court is of the opinion that present is a fit case, in which, the applicants 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 applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge