

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6194 of 2015

Sanjay Yadav, S/o. Vishwanath Yadav, Aged About 30 Years, R/o. Rajiv Nagar, Gali No. 1, Kotra Road, P.S. Kotra Road, Raigarh, Civil & Rev. Distt. Raigarh, Distt. Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Police Thana - City Kotwali, Raigarh, District Raigarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Sanjay Agrawal, Advocate

For Respondent : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/12/2015

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.24/2015 (wrongly mentioned in order sheet as 669/15) registered at Police Station-City Kotwali, District Raigarh (C.G.) for the offence punishable under Section 294, 506, 323, 365/34 of Indian Penal Code.
2. As per the prosecution case, in brief, the present applicant alongwith other co-accused have abducted Jai Kumar Mishra on 08.01.2015 and wrongfully confined him and also caused simple hurt.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in this case and even the injury alleged is of simple in nature. He further submits that the other similarly placed co-accused have been enlarged on bail by the co-ordinate Bench of this Court in

M.Cr.C. No.5419 of 2015; therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the allegation leveled against this applicant that he assaulted the victim by hand and fist and further taking into the fact that the other co-accused have been enlarged on bail, 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