

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6814 of 2015

Pradeep Kumar Gupta, S/o. Rajendra Gupta, Aged About 23 Years, R/o.
Village Surajpur, P.S., Civil & Rev. Distt. Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through S.H.O., Police Of Police Station- Surajpur,
Distt. Surajpur, Chhattisgarh

---- Respondent

For Applicant : Mr. B.P.Singh, Advocate

For Respondent : Mr. U.K.S.Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/12/2015

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.234/2015, registered at Police Station–Surajpur, District Surajpur (C.G.) for the offence punishable under Section 147, 148, 186, 353, 332, 294 of Indian Penal Code.
2. Case of the prosecution, in brief, is that when the police wanted to arrest one Manoj Pandey, the applicant alongwith other co-accused objected to it, which resulted into quarrel and subsequently they have beaten the police officer. Therefore, the applicant alongwith others have committed the crime.
3. Learned counsel for the applicant would submit that Manoj Pandey while was being taken into custody, he was beaten which was objected by the applicant alongwith others and therefore in order to save the act done by the police on their ends the false allegations

have been leveled against this applicant. He further submits that when Manoj Pandey was produced before the CJM, on his application, he was subjected to medical checkup and assault has been affirmed by the Doctors and therefore, it would reveal that the applicant has falsely been implicated in this case.

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 facts and circumstances of the case and the counter allegation made; considering the fact that the charge sheet has been filed and taking into consideration the degree of offence and the detention of the applicant as he is in jail since 17.11.2015, I am inclined to release the applicant on 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 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 trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge