

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.745 of 2016

Ramshankar, S/o Shri Ram Prasad, aged about 38 years, R/o Village Saragaon, Thana Saragaon, Tehsil Champa, District Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through Police Station Baradwar, District Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant:	Mr. Amrito Das, Advocate.
For Non-applicant:	Mr. Neeraj Kumar Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

29/02/2016

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.352/2015, registered at Police Station Baradwar, Distt. Janjgir-Champa, for the offence punishable under Sections 353, 186, 332, 147 and 148 of the IPC.
2. Case of the prosecution, in brief, is that on 18-11-2015, the applicant along with other co-accused persons deterred public servants from discharging their duty and assaulted the police force, and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. Similarly situated co-accused persons have already been granted bail. The applicant is in jail since 18-11-2015.

4. Whereas, learned State counsel opposes the prayer for bail made on behalf of the applicant and submits that as many as 35 criminal cases are pending / registered against the applicant and therefore, the applicant is not entitled for bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Though similarly situated co-accused are said to be released on bail, taking into consideration the nature and gravity of offence, facts and circumstances of the case and 35 criminal cases are pending against the applicant and thus there are serious criminal antecedents against him, I do not consider it a fit case to enlarge the applicant on regular bail. The application is, therefore, rejected. However, the applicant is at liberty to file second bail application after disposal of aforesaid cases, if any, or at appropriate stage.

Sd/-
(Sanjay K. Agrawal)
Judge