

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1321 OF 2016**

1. Chaitram Koshle, S/o Jhitra Koshle, aged about 60 years,
2. Ram Manohar, S/o Lochan Kashyap, aged about 36 years, both are R/o Village Patharikapa, P.S. Laalpur, Civil Dis. -Bilaspur, Revenue Dist. Mungeli, C.G.).

---Applicants**Versus**

State of Chhattisgarh, through Police of P.S. Laalpur, Civil Dist. Bilaspur, Revenue Dist. Mungeli (C.G.)

---Non-applicant

For Applicants	:	Mr. Pallav Mishra, Advocate
For Non-applicant	:	Mr. Suvigya Awasthi, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****28/03/2016**

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. 05/2016, registered at Police Station Laalpur, for the offence punishable under Section

436/34 of I.P.C.

2. Case of the prosecution, in brief, is that, on 06/01/2016 applicants were set fire to the shop of complainant Swatantra Kumar and caused damaged to the extent of Rs. 60,000/- and thereby committed aforesaid offence.

3. Learned counsel for the applicants would submit that applicants have compromised with the complainant and the matter has been settled. He would further submit that amount has already been paid. He would lastly submit that charge sheet has been filed and applicants are in jail since 07/01/2016 therefore, they may be released on bail.

4. On the other hand, learned State counsel would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into

consideration the nature and gravity of offence; role of the present applicants in offence in question and pretrial detention of the applicants, this Court is of the opinion that present is the fit case, in which, applicants should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Code of Criminal Procedure is allowed.

8. It is directed that applicants, namely, Chaitram Koshle and Ram Manohar, shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court. Applicants shall appear regularly before the Investigating Officer/concerned trial Court.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge