

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1687 of 2016**

Ramlal, S/o Shri Dukhi Ram, Aged about-48 years, R/o Udila Khurd, Police Station- Rehala, Distt. - Palamu (Jharchand)

---- Applicant

Versus

State Of Chhattisgarh, Through : the Station House Officer, Police Station – Lunda, Distt.- Sarguja (C.G.)

---- Non-applicant

For Applicant: Mr. R.R. Soni, Advocate.
For Non-applicant/State: Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/05/2016**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 10/2016 registered at Police Station Lunda, Civil & Revenue Distt. Sarguja for the offences punishable under Sections 297, 427 of Indian Penal Code, Section 139 (wrongly mentioned as Section 135) of the Electricity Act, 2003 and Section 3(2)(a) of the Prevention of Damages to Public Property Act, 1984.

(2) Case of the prosecution, in brief, is that applicant while driving of offending truck on 6.2.2016 committed mischief by damaging power line installed by CSPDCL and caused loss of Rs. 2,00,000/- and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits the punishment prescribed under the provisions of Prevention of Damages to Public Property Act, 1984 is six months; and the applicant is languishing in jail since 11.2.2016 and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the nature & gravity of the offence, facts & circumstances of the case; role of the applicant in the offence in question, further considering his pre-trial detention the punishment prescribed for the said offence i.e. 6 months; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Ramlal** is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-