

IGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2334 of 2016

- Rahul Singh Rajput S/O Late Krishna Singh Rajput Aged About 29 Years R/O Deepak Nagar Gali No. 1 In House Of Pappu Singh, P.S. Mohan Nagar Tehsil And District Durg, Civil And Rev. Distt. Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Pulgaon, District Durg Chhattisgarh.

---- Respondent

For Applicant : Mr. A.C. Sahu, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27.06.2016

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. 158 of 2016, registered at Police Station Pulgaon, District Durg (CG) for the offence punishable under Sections 294, 186, 353, 332/34 of the IPC.
2. As per case of the prosecution, on 24-03-2016 applicant along with other co-accused persons during Holi festival assaulted one Police Officer who was on his duty as he refused to participate in playing of colours and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and he was not involved in the crime. He would further submit that the applicant has been in jail since 26-03-2016, chage-sheet has been filed in

this case and no further investigation is necessary, therefore, the present applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents.
6. Taking into consideration all the facts and circumstances of the case, nature of allegation leveled against the applicant, further considering the statement of the complainant and the fact that the applicant is in jail since 26-03-2016, I am inclined to grant bail to the applicant.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the 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.

Certified copy as per rules.

Sd-
(Goutam Bhaduri)
Judge

Raju