

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 75 of 2016

Sudeep Gupta, S/o. Late Shri Durga Prasad Gupta, aged about 46 years,
R/o. Near Putri School, Chameli Chowk, Dhamtari, P.S., Tah. & Civil and
Revenue District – Dhamtari (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station – City Kotwali, Dhamtari,
District – Dhamtari (C.G.)

---- Respondent

For Applicant : Mr. Aadil Minhaz, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20.01.2016

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.417/2015, registered at Police Station– City Kotwali, District – Dhamtari (C.G.) for the offence punishable under Section 294, 506-B of Indian Penal Code & Section 3 (1) (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act.
2. Case of the prosecution, in brief, is that a complaint was lodged by complainant, Rajkumar Dhruv that he had taken loan from one Reginald Peter, which had been returned through the present applicant and he had informed about the same to the Reginald Peter. After few days Reginald Peter demanded the aforesaid money from complainant and when he enquired about it from the applicant, he was abused by the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as the incident was alleged to be of 12.03.2015 and the FIR was lodged on 15.12.2015. He would further submit that charge-sheet in this case been filed and the applicant is in jail since 13.12.2015, therefore, the counsel prays that the 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 appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case, the degree of offence and the allegation levelled against this applicant, further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 31.12.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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 each 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