

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1735 of 2016

Mohd. Ayyub Khan, S/o Mohd. Hussain Khan, caste Musalman, aged about 48 years, R/o Singpur, P.S. Magarlod, District Dhamtari (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Magarlod, District Dhamtari (C.G.)

---- Non-applicant

For Applicant:	Mr. Raghavendra Pradhan, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

17/03/2016

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.42/2016, registered at Police Station Magarlod, Distt. Dhamtari, for the offence punishable under Sections 294, 323, 506B of the IPC and 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that on 18-2-2016, the applicant abused complainant Somnath Gond who is a member of Scheduled Tribe and also caused hurt to him and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the case and there is no role of the applicant in the offence in question. The applicant is in jail since 4-3-2016.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, nature of dispute and pretrial detention of the applicant, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge