

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3101 of 2016

Rajesh Kumar, S/o. Dharam Sai, Aged About 25 Years, Caste- Gond, R/o.
Village - Narola, P.S. Ramkola, District – Surajpur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station - Ramkola, District
Surajpur, Chhattisgarh

---- Respondent

For Applicant : Mr. Shrawan Agrawal, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23.06.2016

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.04/2016 registered at Police Station Ramkola, District Surajpur (C.G.) for the offence punishable under Section 452, 294, 506 of Indian Penal Code and Section 25, 27 of Arms Act.
2. Case of the prosecution, in brief, is that on 17.01.2016, the applicant entered into the house of the complainant Ramprasad and threatened and abused him showing him a Bharmar Gun. Subsequently, a report was made on 19.01.2016 by the complainant and from the possession of the applicant, a Gun was recovered and he was arrested.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and all the evidence has been recovered and the offence is triable by Judicial Magistrate and

further no evidence is required, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary. Considering the facts and circumstances of the case and the degree of allegation and further considering the fact that the charge sheet has been filed and the applicant is in jail since 20.01.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. 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.

Sd/-
(Goutam Bhaduri)
Judge