

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3666 of 2016

1. Dhananjay Sahu, S/o. Shri Rajendra Sahu, aged about 20 years, R/o. Ward No.13, Village and Chauki Lavan, Police Station Kasadol, District – Baloda Bazar – Bhatapara (C.G.) PIN 492112

----Applicant

Versus

1. State of Chhattisgarh, Through : Chowki – Lavan, Police Station Kasadol, District – Baloda Bazar- Bhatapara (C.G.)

---- Respondent

For Applicant	: Mr. Vijay K. Deshmukh, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/07/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.07/2016, registered at Police Station – Chowki – Lavan, P.S. - Kasadol, District – Baloda Bazar- Bhatapara (C.G.) for the offence punishable under Section 147, 148, 149, 452, 186, 307, 477, 332, 436, 333, 353, 336, 450 of the Indian Penal Code and Section 3 and 4 of the Lok Sampatti Nivaran Adhiniyam.
2. Case of the prosecution, in brief, is that on 02.01.2016, an accident happened in which a girl died near bus stand Lavan. This resulted in public outrage and it is alleged that the applicant which also include

relatives of the girl entered into police station, pelted stones and also caused injuries to police personnel. It is also alleged that public property and public documents were also damaged.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and it is a case of false implication. It is further submitted that the applicant was only present at the spot and he individually did not cause any injury to anyone but being part of crowd, he has been included. It is further submitted that similarly situated accused persons have been enlarged on bail by the coordinate Bench of this Court vide order dated 01.06.2016, in M.Cr.C. No.2513 of 2016 and other connected matters. Therefore, the counsel prays that the applicant may also be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the prayer for grant of bail.
5. Having perused the case diary and taking into consideration the nature of injury and further taking into consideration the background of the incident and further considering the fact that similarly placed co-accused persons have been enlarged on bail by the coordinate Bench of this Court vide order dated 01.06.2016 passed in M.Cr.C. No.2513 of 2016 and other connected matters, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

7. It is directed that 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge