

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3588 of 2016

Md. Yaqub, S/o. Abdul Rauf Khan, Aged About 31 Years, R/o. Village Kewra, Police Station & Tahsil Pratappur, District Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Pratappur, District Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. V.K.Pandey, Advocate

For Respondent : Mr. Neeraj Kumar Sharma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.07.2016

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.57/2016 registered at Police Station- Pratappur, District Surajpur (C.G.) for the offence punishable under Section 147, 148, 149, 294, 506-B, 323, 342 & 365 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a complaint was made by Altaf Hussain that he alongwith his friends were abducted by the present applicant and other co-accused on 15.03.2016 and subsequently they were recovered from the possession of the present applicant and other co-accused.
3. Learned counsel for the applicant would submit that the applicant and other co-accused were coming in their Bolero vehicle bearing No.C.G.10 B.B. 2334 and the complainant and other persons were going on their vehicle and the applicant landed into dispute with the

complainant Altaf Hussain as the allegations were made about transportation of cattle illegally. The applicant and other co-accused however were not involved in such illegal transportation of cattle and therefore the dispute arose. Consequently, the false report has been made by the complainant and no demand has been made by the applicants. He further submits that the charge sheet has been filed and the applicant is in jail since 24.04.2016, therefore, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of Altaf Hussain. Considering the statement of Altaf Hussain, taking into facts and circumstances of the case and the background of the incident in which the offence is sought to be committed and further taking into fact that the charge sheet has been filed and the applicant is in jail since 24.04.2016, 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