

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.668 of 2016**

Hemant Sarang, S/o Purshottam Sarang, aged about 25 years, Resident of Ghasidas Chowk, Village Kapsi, Tahsil-Patan, Police Station Amleshwar, Civil and Revenue District-Durg (CG)

---Applicant

Versus

State of Chhattisgarh; Through: Station House Officer, Police Station Amleshwar, Civil and Revenue District-Durg (CG)

---Non-applicant

For Applicant	:	Mr. Prateek Sharma, Advocate
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

23/02/2016

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.145/2015, registered at Police Station-Amleshwar, District-Durg (CG), for the offence punishable under Sections 436 and 506/34 of the IPC.

2. Case of the prosecution, in brief, is that on 20.12.2015 the applicant and two other co-accused persons set fire to the complainant's hotel by which the complainant suffered loss of ₹10,000/- and also threatened the complainant.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that F.I.R. was delayed by three days as the incident took place on 20.12.2015 and F.I.R. has been lodged on 23.12.2015, there is no admissible evidence to

connect the present applicant in crime in question. He would also submit that charge-sheet has already been filed, he is in jail since 30.12.2015 and no useful purpose will be served by detaining him in jail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of offence; role of the present applicant; extent of delay in lodging the F.I.R., pre-trial detention of the applicant and the fact that charge-sheet has already been filed, 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 **₹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/-

(Sanjay K. Agrawal)
JUDGE

B/-