

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2626 of 2016

Ved Prakash @ Gudda, S/o. Late Rajendra Prasad Gupta, Aged About 47 Years, (By Occupation Clerk Of Advocate, District Court Durg) and R/o. Durg, Polsaipara Bajrang Chowk Durg, Tahsil & Civil & Revenue Distt. Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Durg, Civil & Revenue Distt. Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Janak Ram Verma, Advocate

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21.06.2016

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.259/2016, registered at Police Station- Durg, District Durg (C.G.) for the offence punishable under Section 294, 506, 323, 295 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 24.03.2016 at about 8 O'clock, the applicant entered into a temple of Lord Bajrangbali and abused the Priest, the complainant, and placed his foot over the Hawankund and thereby has committed the offence.
3. Learned counsel for the applicant would submit that all the offences which are charged are bailable in nature except Section 295 for which the maximum punishment is prescribed for 2 years and the

applicant is in jail for three months and he is a Clerk of an Advocate, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail and she would further submit that as many as 29 cases were registered to the credit of the applicant out of which 14 cases are of I.P.C. and 15 cases are of Cr.P.C and including this case, the number of the case has gone to 30. Therefore, considering the background of this applicant and the nature of offence, he may not be enlarged on bail.
5. Perused the case diary and the statement. Considering the statement of the complainant and especially taking into fact that to the credit of the applicant almost 30 cases were registered at different point of time under the I.P.C. and Cr.P.C., I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed. However, under the facts and circumstances of this case, the trial Court is requested to expedite the trial and conclude within a further period of two months.

Sd/-
(Goutam Bhaduri)
Judge