

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3121 of 2016

1. Laxman Chedavi, S/o. Paretal Chedavi, aged 25 years, R/o. Village-Indori, P.S. - Piparia, Teh. Kawardha, District – Kabirdham (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Piparia, District – Kabirdham (Chhattisgarh)

---- Respondent

For Applicant	: Mr. Ajay Ayachi, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

28/06/2016

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.83/2016, registered at Police Station – Piparia, District – Kabirdham (C.G.) for the offence punishable under Section 294, 323, 506, 427, 392 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 02.04.2016 a complaint was lodged by one Rohit alleging that when he went to betel shop at that time, the applicant took away his motor cycle by force and was also assaulted. Thereafter, the report was made and the motor cycle was seized from the possession of the applicant.
3. Learned counsel for the applicant submits that there has been a monetary transaction in between the applicant and the complainant,

therefore, the applicant has been falsely implicated in the case. He further submits that considering the nature of offence and the degree of allegation levelled against this applicant and the fact that the applicant is in jail since 02.04.2016, the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, the nature and degree of offence and the allegation levelled against the applicant and the fact that charge-sheet in this case has been filed and the applicant is in jail since 02.04.2016, this Court is of the opinion that present is a fit case, in which, the applicants 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 applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge