

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3158 of 2016

Gajendra @ Mongiya @ Golu Yadav, S/o. Mahesh Yadav, Aged About 23 Years, R/o. Udai Chowk Katiyapara, P.S. City Kotwali, Bilaspur, Revenue & Civil District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station City Kotwali, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.06.2016

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.145/2016 registered at Police Station City Kotwali, District Bilaspur (C.G.) for the offence punishable under Section 186, 353, 294, 506, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that the complainant who is working as Police Constable on 04.04.2016 went to serve summons, at that time, he asked the applicant about the address of the person who was to be served from the complainant and thereafter altercation took place and ultimately he was assaulted.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no further investigation is required and the complainant is a police person, therefore, under the facts of this case, the applicant may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the degree of allegation leveled against this applicant and further considering the pre-trial detention of the applicant, 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