

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3822 of 2016

Raju Bhande, S/o. Munnalal Bhande, aged about 30 years, R/o. Behind Manohar Medicos Sector-9, Bhilai, P.S. - Bhilai-Nagar, District – Durg (C.G.)

---- Applicant

Versus

The State of Chhattisgarh, Through : District Magistrate, Civil and Revenue District – Durg (C.G.)

---- Respondent

For Applicant	:	Mr. Amiyakant Tiwari, Advocate
For Respondent	:	Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri
Order On Board

21/07/2016

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. 133/2016, registered at Police Station- Bhilai-Nagar, District – Durg (C.G.) for the offence punishable under Section 147, 353, 186, 294, 323 Indian Penal Code, 1860.
2. Case of the prosecution, in brief, is that on 27.02.2016, a report was made by Bhuneshwari Dhruw alleging that the applicant after consuming liquor started abusing, which was objected and the applicant went inside the house of the complainant and assaulted her. Thereafter, when the police party was called, the applicant and the family members have also resisted the police and assaulted the police party. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and because of police party

when was intervened in the issue, the dispute arose in between the applicant and Bhuneshwari and taking side of the complainant, the police party has assaulted the accused, therefore, it was objected by the other person. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 28.02.2016, therefore, the counsel prays that 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 for the parties.
6. Considering the facts and circumstances of the case, the nature of offence and the degree of allegation levelled against the applicant and the fact that charge-sheet in this case has been filed and the applicant is in jail since 28.02.2016, 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 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge