

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4468 of 2016

1. Naresh, S/o. Pachram Patle, aged about 22 years, Occupation-Agriculturist, R/o. Village-Putaki Kala, P.S. & Tahsil-Pandariya, Civil and Revenue District – Kabirdham (C.G.)

----Applicant

Versus

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

---- Respondent

For Applicant	: Mr. Dharmesh Shrivastava, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/08/2016

1. This is the second 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.114/2016, registered at Police Station – Pandariya, District – Kabirdham (C.G.) for the offence punishable under Section 436 of the Indian Penal Code. The first bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge-sheet.
2. Case of the prosecution, in brief, is that on 21.05.2016, a report was made against the applicant alleging that after loosing the amount in the gambling, he came in the house and demanded money from his father and having refused, after some time, the applicant set on fire the house. Thereby caused loss of Rs.70,000/-.

3. Learned counsel for the applicant submits that earlier bail application was dismissed as withdrawn with liberty to repeat the prayer after filing of the charge-sheet and now the charge-sheet in this case has been filed. It is further submitted that in-fact the complainant went to make a report that some accident of fire has taken place in his house instead, the said report has been made. It is further submitted that the applicant is in jail since 22.05.2016 and no evidence is required, 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 appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case and the report as appears to be made by the father, without further observation on merits, 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