

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6398 of 2016

Jamil Ahmad, S/o. Makbul Ahmad, Aged About 21 Years, R/o. Camp-2
Near Shitala Mandire, Power House Bhilai, Tahsil & District Durg
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the District Magistrate Durg, Tahsil &
District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.10.2016

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.619/2016 registered at Police Station- Durg, District Durg (C.G.) for the offence punishable under Section 353, 186, 294, 506 of Indian Penal Code.
2. As per the prosecution case, on 30.08.2016 when the Police Constable were taking the person from Jail to Durg Court and after hearing when the accused person came back to the Lockup, the applicant made effort to supply Wine kept in the bottle to the accused which being objected, the applicant abused in filthy language and extended threat and as such the report was made.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and no offence has been committed and false acquisition is made, which is completely improbable. He further submits that the charge sheet in this case

has been filed and the applicant is in jail since 31.08.2016, therefore, he may be released 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, nature of offence and degree of allegation and the fact that the charge sheet has been filed and the applicant is in jail since 31.08.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court/ remand Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge