

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6410 of 2016

Pawel Kumar Agrawal, S/o. Shri Pawan Agrawal, Aged About 20 Years,
R/o. Village Khamhar Road, Nichepara, Dharamjaygarh, Thana
Dharamjaygarh, Civil & Revenue District Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer, Police Station
Dharamjaygarh, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Kaushal Dewangan, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.10.2016

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.37/2016 registered at Police Station- Dharamjaygarh, District Raigarh (C.G.) for the offence punishable under Section 186, 294, 509, 448, 384/34 of Indian Penal Code and Section 3(1)(xi) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.
2. As per the prosecution case, a report was made by Smt. Geeta Darshan, who is working as an officer of the Govt. Department that the present applicant alongwith co-accused entered into the office and disclosing their identity of Journalist of Adiwasi Stambh News Paper demanded Rs.5000/- which was refused. Subsequently, a publication was made in the said newspaper on 25.01.2016 against the complainant assassinating her character and certain allegations were also leveled, for which, a report was made.

3. Learned counsel for the applicant would submit that the similarly placed co-accused has been enlarged on bail by this Hon'ble Court on 06.10.2016 in MCRC No. 6168 of 2016 and the case of the present applicant is similar to that case. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 02.09.2016, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of allegation leveled against the applicant and also the fact that the similarly placed co-accused has been enlarged on bail, 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 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