

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6510 of 2016

- Pramod Singh S/o Shankardayal Rajput Aged About 50 Years R/o Village Jhalap, Police Station Patewa, Tahsil Mahasamund, District Mahasamund, Chhattisgarh.

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Versus

- State Of Chhattisgarh Through Police Station Patewa, District Mahasamund, Chhattisgarh.

– Respondent

For Applicant : Mr. Manoj Paranjpe, Advocate.

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

24-10-2016

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 on 22-9-2016 in connection with Crime No. 168 of 2016, registered at Police Station Patewa, District Mahasamund (CG) for the offence punishable under Sections 294, 323, 506, 323 of the IPC and Section 3 (1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that some dispute was going on in between Chandrahash Chandrakar and Pramod Singh, at that time one Paduman Khadia went there to save Chandrahash Chandrakar, at that time the applicant assaulted him and also abused him in the name of caste and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that initially the dispute was going on between Chandrahash Chandrakar and present

applicant and initially a report was lodged by Chandresh Chandrakar at 13.00 hours which are of bailable. Subsequently, in order to inculcate the present applicant to get him arrested, a false report was made at 14.30 hours and thereby false allegations have been attributed to the present applicant.. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 22-9-2016 and no further investigation is required, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents which shows that initially a report was made by Chandresh Chandrakar and thereafter complainant Paduman Khadia has made a report.
6. Taking into consideration the facts and circumstances of the case and further considering the back-ground of the case and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 22-9-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju