

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7328 of 2016

1. Jagriti Kashyap, S/o. Shri S.L. Kashyap, aged about 40 years, R/o. Village-Jurda, Tahsil – Raigarh, Police Station – Chakradharnagar, Raigarh, Civil and Revenue District – Raigarh (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : the Station House Officer, Police Station – Chakradharnagar, Civil and Revenue District – Raigarh (C.G.)

---- Respondent

For Applicant : Mr. Kamal Kishore Patel, Advocate

For Respondent/State : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/11/2016

1. This is the first 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.345/2016, registered at Police Station – Chakradharnagar, District – Raigarh (C.G.) for the offence punishable under Section 294, 506, 332, 353, 189 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 15.10.2016 it is alleged that the applicant while was playing cards at that time, the police officers intervened and the applicant assaulted four police officers and abused them. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and in fact the applicant has been severely assaulted by four police officers and subsequently,

the report has been lodged against the applicant and the applicant is in jail since 15.10.2016, 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 appearing for the parties.
6. Perused the case diary and the documents. Considering the nature of allegation and the facts and circumstances of the case and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 15.10.2016, 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