

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7743 of 2016

- Rahul Sahu S/o Ramavtar Sahu Aged About 18 Years R/o Main Road, Sahu Gali Surajpur, Police Station & Tahsil- Surajpur, District- Surajpur, Chhattisgarh

---- **Petitioner**

Versus

- State Of Chhattisgarh Through- The Police Station- Surajpur, District- Surajpur, Chhattisgarh

---- **Respondent**

For Applicant : Mr. A.N. Pandey, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-12-2016

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 19-8-2016 in connection with Crime No. 347 of 2016, registered at Police Station Surajpur, District Surajpur (CG) for the offence punishable under Sections 294, 506, 186, 353, 427 of the IPC.
2. Case of the prosecution, in brief, is that on 19-8-2016 while Police party was patrolling, Sub Inspector Ramendra Singh received information that the applicant was moving in suspicious condition and when the applicant was intercepted on the spot, he tried to fled away and having intercepted, the applicant assaulted the police officer and broke the glass of the police vehicle and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case and the applicant has not committed any offence. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 19-8-2016 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 and would submit that apart from this case, four cases of under Sections 457, 380 and 461 of IPC are registered against the applicant, therefore, he may not be released on bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 19-8-2016, 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