

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7741 of 2016

- Sageer Khan S/o Late Shahjad Khan Aged About 38 Years Caste Musalman, R/o P.W.D. Colony, Keshkal, Police Station- Keshkal, District- Kondagaon, Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh through- The Station House Officer, Police Station- Keshkal, District- Kondagaon, Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Rakesh Pandey, Advocate
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.12.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 128 of 2016 registered at P.S. Keshkal, Distt. Kondagaon (C.G) for the offence punishable under Sections 294, 452, 353, 186, 323, 332 & 506 of IPC.
2. As per the prosecution case, on 24.10.2016 a report was made by Principal Chetan Mandavi that in order to hold reception of marriage of Sheik Javed, the school premises was required on 08.11.2016 which was refused by the Principal and on such refusal, the applicant has become enraged and assaulted and abused the Principal thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and initially the permission was granted to hold the marriage reception, but subsequently it was denied by the principal, therefore, the

altercation took place between the applicant and Principal. He further submits that the charge sheet has been filed and the applicant is in jail since 27.10.2016, therefore, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of witnesses. Considering the facts and circumstances of the case especially the fact that the charge sheet has been filed; offence is triable by the JMFC and the applicant is in jail since 27.10.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**