

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE NO. 5077 OF 2017

Raju Chouhan, S/o Bhog Singh, aged about 34 years, Caste Gada, R/o Kerakachhar (Gorrapara), P.S. Patthalgaon, District Jashpur (C.G.)

... Applicant

Versus

State of Chhattisgarh, through: Station House Officer, Police Station: Patthalgaon, District: Jashpur (C.G.)

... Respondent

For Applicant	:	Mr. C.J.K. Rao, Advocate.
For Respondent-State	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23/11/2017

1. The present is an application filed under Section 439 of CrPC seeking for grant of bail to the Applicant who is in jail since 29.6.2017 in connection with Crime No. 17/2017 registered at Police Station-Patthalgaon, District Jashpur, for the offence punishable under Sections 452, 323, 324, 506, 325, 34 of IPC.
2. As per the prosecution, allegation against the Applicant is that he had entered into the house of the Complainant-Ved Prakash and is said to have assaulted him and also used abusive language.
3. Learned Counsel for the Applicant submits that the Applicant has been falsely implicated in the instant case as it was the Complainant who had broken the mobile of the Applicant when the Applicant was demanding money for the repairing of the said mobile, a false complaint has been lodged and thus prayed for grant of bail to the Applicant.
4. Learned Counsel for the State however opposing the bail application submits that there is clear statement made by the Complainant-Ved Prakash alleging the Applicant entered into the house of the Complainant at night and assaulted him and therefore the Applicant does not deserve to be released on bail.

5. Considering the nature of allegation and the fact that charge-sheet has already been filed and also taking into consideration the fact that the Applicant has already remained in custody for a period of about 5 months, this Court is of the opinion that prima facie a strong case is made out for grant of bail to the Applicant.

6. Accordingly, the application for grant of bail is allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance as and when directed.

Sd/-
(P. Sam Koshy)
Judge

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