

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1248 of 2017

1. Ajay Nayak, S/o. Lakhan Nayak, Aged About 21 Years, R/o. Chunabhatti, Police Station - Ganj, Tahsil & District-Raipur, Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh, Through: Police Station -G.R.P., District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Devershi Thakur, Advocate
Respondent/State	: Mr. Samir Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/03/2017

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.251/2016, registered at Police Station – GRP, District – Raipur (C.G.) for the offence punishable under Section 392, 394 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 08.12.2016, the complainant – Mansingh lodged a report that the present applicant assaulted the complainant and looted Rs.1700/-. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and on the trivial issue when the complainant was humiliating in the public place, it was objected,

however, subsequently, the applicant and the complainant entered into scuffle and the report has been made. It is further submitted that charge-sheet in this case has been filed, applicant is in jail since 09.12.2016 and no further investigation is required, therefore, 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, documents and the statement of the victim. Considering the facts and circumstances and the background of the case and further considering the nature of evidence, charge-sheet in this case has been filed and the applicant is in jail since 09.12.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge