

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1489 of 2017

- Vishnu Yadav S/o Shri Puniram, Aged About 22 Years R/o Village Samaruma, Police Station Punjipathara, Tahsil Tamnar, District Raigarh Chhattisgarh

---- **Petitioner**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station - Punjipathra, District - Raigarh Chhattisgarh

---- **Respondent**

For Applicant : Mr. Amit Singh, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

21-03-2017

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 11-1-2017 in connection with Crime No. 9 of 2017, registered at Police Station Punjipathra, District Raigarh (CG) for the offence punishable under Sections 294, 506, 323 of IPC and Section 25 & 27 of the Arms Act.
2. As per prosecution, on 11-1-2017 a report was made by the complainant Maneesh that on 10-1-2017 the applicant asked the complainant to join him to go for fishing and having refused the applicant enraged and abused the complainant and thereafter threw him into floor, took out country made pistol and pointed at him which was intervened by different persons and thereafter the complainant himself was made free 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 only on trivial issue the report has been made. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 11-1-2017 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.
5. I have heard learned counsel for the parties, perused the case diary and 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 11-1-2017, 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. He shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju