

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3625 of 2017**

Gurucharan Singh Rajput, S/o. Late Shri Ratan Singh Rajput, aged about 31 years, Occupation – News Reporting, R/o. Patrapara Ward No.8, Dharamjaygarh, Thana & Tahsil – Dharamjaygarh, Civil and Revenue District – Raigarh (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through : the Station House Officer, Police Station - Dharamjaygarh, District - Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sunil Sahu, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****15/11/2017**

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.62/2017, registered at Police Station – Dharamjaygarh, District – Raigarh (C.G.) for the offence punishable under Section 190, 458, 506-B, 323, 324 of the Indian Penal Code and Section 3 (2) (V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. It is submitted by the learned counsel for the applicant that applicant has been falsely implicated in this case. Applicant is in jail since 06.03.2017, case against him has been registered, investigated and

charge-sheet has been filed and no case is made out against the applicant. It is further submitted that the wife of the applicant has expired on 10.11.2017, because of which the counsel for the applicant prays that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that applicant is habitual offender. As per the report from the police authorities, there are 16 previous cases, registered against the applicant for offences under I.P.C. and for proceeding under Cr.P.C., hence prayed that applicant is not entitled for grant of bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case against the applicant is this that he trespassed into the house of the complainant, who happens to be the member of scheduled tribe and the complainant was asked to withdraw the case that he has initiated against the applicant and then applicant threatened the complainant that he will cause his death and also assaulted the complainant with knife and fists causing injuries to him because of which, simple injuries were caused to the complainant. On FIR being lodged by the complainant, the matter has been investigated and charge-sheet has been filed.
6. Considered the submissions made and the contents of the case diary and further looking to the fact that the applicant is in jail since 06.03.2017, conclusion of the case against the applicant is likely to take sometime, in any of the previous cases shown to have been registered against the applicant has ended in conviction is not

reported, for these reasons, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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 today.

Sd/-
(Rajendra Chandra Singh Samant)
Judge