

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7230 of 2016

Manish Singh @ Golu, S/o. Rajbahadur Singh, Aged About 29 Years, R/o. Village - Puran, Police Station - Mungeli, Present Address - Milan Chowk Kududand, Police Station- Civil Line, Bilaspur, District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station - City Kotwali, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/01/2017

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 in connection with Crime No.397/2016 registered at Police Station- City Kotwali, District Mungeli (C.G.) for the offence punishable under Sections 435, 436 & 511 read with Section 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Alok Singh on 20.08.2016 that at about 2:30 in the night when he smelled smoke, he woke up and saw that his Motorcycle bearing No.CG-28-4544 was set on fire and the main door of the house was also on fire and he subsequently also came to know that house of Rajesh Yadav and Betel shop of Dharmesh Pandey also got fire along with other motorcycle Bajaj Platina, therefore, doubt was raised of Pokhraj Singh as there was some earlier dispute

was existing in between the parties. Subsequently, on investigation it was found that the applicant has committed the offence.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and there is no evidence available against him. He further submits that the charge sheet has been filed and allegation of sale of movable property is alleged against the present applicant which is bailable offence, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the nature of allegation against the present applicant and the fact that the charge sheet has been filed and the applicant is in jail since 19.10.2016, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge