

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6473 of 2017

- Om Prakash S/o Shri Kripa Ram, Aged About 40 Years, R/o Village Dhiwara, Tahsil and Police Station Dabhara, District Janjgir- Champa, Civil and Revenue District Janjgir-Champa. Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Janjgir, District Janjgir-Champa, Chhattisgarh.

---- Non-applicant

For Applicant – Shri Ashutosh Mishra, Advocate on behalf of Shri Manoj Kumar Sinha, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-12-2017

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant was arrested on 22-09-2017 in connection with Crime No.247/2009 registered at P.S. Dabhara, District Janjgir-Champa, C.G. for the offence under Section 147, 148, 149, 323, 294, 452, 395 of the IPC.
2. It is submitted on behalf of the applicant that the applicant is innocent and has been falsely implicated in this case. The co-accused persons in this case have been benefited with grant of bail. The applicant also has the similar case. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission made.
4. Heard learned counsel for both the parties and perused the case

diary.

5. Facts of the case are these that on the date of incident the applicant and various other persons entered into the R.K.M. Power Plant armed with clubs, rods etc. who abused the employees and workers of the plant and also assaulted them causing injuries to various persons in furtherance of common object, some articles were also looted by the said mob of which the applicant was a party. This incident took place on 12-02-2009, consequent to that charge sheet was filed on 23-10-2013 showing the applicant as absconder. The applicant has been arrested on 22-09-2017.

6. Considering on the submissions and contents of the case diary and the evidence against the applicant, I am of this view that this is a fit case where the applicant should be granted bail.

7. Consequently, the application (MCRC No.6473/2017) filed under Section 439 of the Cr.P.C. by the applicant is hereby allowed. 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge