

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 144 of 2018

- Rajan Singh Chouhan S/o Shri S. P. Singh, Aged About 42 Years, R/o B Type Godripara, P. S. Chirmiri, District Korea Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh through Station House Officer, Police Station Chirmiri, District Korea Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicant – Smt. Indira Tripathi, Advocate.

For Non-applicant/State – Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 09-11-2017 in connection with Crime No.293/2017 registered at P.S. - Chirmiri, District Korea, Chhattisgarh for the offence under Section 294, 506, 323, 342, 365, 419, 468, 471 & 120-B of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 09-11-2017. No case is made out against the applicant, according to the material present in the charge sheet filed against him. Co-accused person has been granted anticipatory bail by this Court. The applicant has similarly placed, hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that the applicant is a criminal element, earlier he has been prosecuted in 5 cases under the various provisions of the IPC and he has also been proceeded against in preventive proceedings under the provisions of the Cr.P.C.

4. In reply, it is submitted that as the applicant is a news correspondent and he had been reporting against the police, hence he was falsely implicated. He was at liberty at the time when he was arrested.
5. Heard learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, on the date of incident this applicant along with co-accused Dharmendra Patel abducted complainant/victim Sujeet Dutta by use of abusive words and threats and also by assaulting and causing hurt to him. The complainant/victim was taken to a different place and forced to sign on an affidavit which was prepared previously and thereafter, he was set at liberty by them. Hence, this case.
7. Considered on the submissions made and contents of the case diary.
8. After due consideration on the material present in the case diary and the present circumstances and also taking into consideration this fact that the co-accused person has been granted bail, I am of this view that this applicant deserves to be released on bail during pendency of the trial against him.
9. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail 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.
10. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge