

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 282 of 2018**

Ganesh Ram Chouhan Son Of Nadiya Ram, Aged About 35 Years Caste Cheek, R/o Village Pirai, Police Station- Bagicha, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bagicha, District Jashpur, Chhattisgarh.

---- Respondent

For the Applicant : Shri J.K. Saxena, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.03.2018**

Heard.

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.197 of 2017, registered at Police Station – Bagicha, District - Jashpur, Chhattisgarh for the offence punishable under Sections 451, 294, 506, 354 and 332 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 24.11.2017 and he has been falsely implicated in this case. According to the written complaint given on 15.11.2017, the date of incident is mentioned as 3.10.2017. About 1 ½ months prior to filing of the complaint, this applicant had made a complaint to the Collector, Jashpur that the complainant who happens to be Village Health Co-ordinator is selling out the

medicines which are meant to be distributed free according to the government rules. Thereafter, a false FIR was registered against the applicant. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the complaint made by complainant - Anita Singh Pekra, Village Health Co-ordinator, this applicant came to the Community Health Centre, Bagicha, asked to open the door and give the medicine. The complainant opened the door of CHC. It was at that time, the applicant enquired from the complainant about her husband and then the applicant caught hold her hand and by pressing her head to the wall he threatened her to leave the CHC with family and go somewhere else for the reason that his own business was ruined because of them, as the applicant himself is a quack practicing medicine in that area. Thereafter, the FIR was lodged against this applicant.

6. Considering the material present in the case-diary and the fact that charge-sheet has been filed, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge