

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7949 of 2017**

Birendra Yadaw S/o Gariba Yadaw, Aged About 26 Years R/o Kapilnagar, Street No. 03, Sarkanda Police Station Sarkanda, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Sarkanda, District Revenue And Civil Bilaspur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anand Kesharwani, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.02.2018**

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.657 of 2017, registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 186, 353, 294 and 324 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 24.9.2017 and he has been falsely implicated in this case. The applicant is a local resident and the case is triable by the Judicial Magistrate First Class. Hence, it is prayed that the applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application.

4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident when the complainant - Constable – Tameshwar Suryavanshi was on duty then at about 9:30 pm in the night this applicant by using abusive words for the constable objected to his standing and assaulted with knife causing injuries on his shoulder and neck. On the information given by the complainant, FIR has been lodged against this applicant.
6. On perusal of the case-diary, it appears that the simple injuries were caused to the complainant. After completion of investigation, the charge-sheet has been filed and no purpose would be served if the applicant is kept in detention for the whole period of trial, this application is allowed.
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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge