

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.598 of 2018

Ritesh Patel, S/o Dharamnath Kaushik, aged about 27 years, R/o Village Bafna, Malgujarpara, P.S. Kondagaon, District Kondagaon (C.G.)

---- Applicant
(In Jail)

Versus

State of Chhattisgarh, Through P.S. Kondagaon, District Kondagaon (C.G.)

---- Non-applicant

For Applicant:	Mr. Utkal Pradhan, Advocate.
For Non-applicant:	Mr. Dilman Rati Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

09/04/2018

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.169/2017, registered at Police Station Kondagaon, Distt. Kondagaon, for the offence punishable under Sections 420, 294, 506 of the IPC and Section 3(1)(d)(e) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution, in brief, is that in the year 2015, the applicant obtained ₹ 15,000/- from complainant Omprakash, who is a member of Scheduled Tribe, and when the money was demanded the applicant assaulted the complainant and abused him and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. There is delay of more than two years in lodging the FIR. The

applicant is in custody from 5-1-2018 and charge-sheet has been filed.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, extent of delay in lodging the FIR, pretrial detention of the applicant and charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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.

Sd/-
(Sanjay K. Agrawal)
Judge