

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7617 of 2017

- Krishna Kumar Patel S/o Budhram Patel, Aged About 18 Years, R/o Village Sonthi, P. S. Sakti, District Janjgir-Champa Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P. S. Sakti District Janjgir-Champa Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Ishwar Jaiswal, Advocate.

For Non-applicant/State – Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application filed by the applicant for regular bail before this Court. The applicant has been arrested on 11-09-2017 in connection with Crime No.243/2017 registered at Police Station Sakti, District Janjgir-Champa, Chhattisgarh for the offence under Section 436 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. No case is made out against him. The applicant is in jail since 11-09-2017. He is ready to abide by all the conditions imposed on grant of bail. Hence, the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application and submission made. It is submitted that eye-witness account are available against this applicant, hence, no case is made out for grant of bail. Therefore, the application may be dismissed.

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

5. As per the statement given under Section 161 of the Cr.P.C. by complainant Devram Patel, on the date of incident he saw the applicant setting

fire to his shop and running away from the spot and because of burning of his shop he has suffered loss of Rs.4,000/-. Hence, this case.

6. Considered on the submissions made and contents of the case diary.

7. The applicant is local resident within the territorial jurisdiction of P.S. Sakti, Distt. Janjgir-Champa, and he is aged about 18 years and there appears to be no likelihood of his absconding, hence for these reasons, I am of this view that the applicant should be granted regular bail in the present matter.

8. Consequently, the application (MCRC No.7617/2017) 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge