

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 812 of 2018

- Roshan Soni S/o Shri Roopchand Soni Aged About 19 Years R/o Veer Shivaji Nagar, Disha College, Kota, Raipur Post Office Raipur Tahsil And District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sarswati Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate.
For Respondent : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/04/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.165/2017, registered at Police Station- Sarswati Nagar, District – Raipur(C.G.) for the offence punishable under Sections 327, 323, 294, 506 B/506 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 8.12.2017. After completion of investigation, charge-sheet has been filed. Hence, it is prayed that there is no longer any requirement for detention in jail to the applicant. Hence, it is prayed that he may be released on regular bail.

3. Learned State counsel opposes the prayer and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The case against this applicant is this, that on the date of incident this applicant was demanding money from the complainant Roshan Soni for buying liquor, on refusal he abused, threatened and assaulted the complainant causing injuries to him. Hence, this case.
6. Considered on all the material present in the case diary as the charge-sheet has been filed, no purpose would be served if the applicant is kept in detention till the conclusion of trial, for this reason, I am of this view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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

Nisha