

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 904 of 2018

Jawahar S/o Jeewanlal Chandra Aged About 34 Years R/o Village Dhobnipali,
Police Station And Tahsil Dabhra, District Janjgir Champa Chhattisgarh,
District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate District Janjgir Champa
Chhattisgarh Through Police Station Dabhra District Janjgir Champa
Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Shri Deepak Kumar Singh, Advocate
For Respondent/State	:	Shri Satish Gupta, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/04/2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court by the applicant for regular bail. The applicant was arrested on 16-10-2017 in connection with Crime No.247/2009 registered at P.S. Dabhara, District Janjgir-Champa, C.G. for the offence under Section 147, 148, 149, 323, 294, 452, 395 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. The co-accused persons similarly situated in this case have been benefited with grant of bail. The applicant also has the similar case. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission made.

4. Heard learned counsel for both the parties and perused the case diary.
5. Facts of the case are these that on the date of incident the applicant and various other persons entered into the R.K.M. Power Plant armed with clubs, rods etc. who abused the employees and workers of the plant and also assaulted them causing injuries to various persons in furtherance of common object, some articles were also looted by the said mob of which the applicant was a party. This incident took place on 12- 02-2009, consequent to that charge sheet was filed on 23-10-2013 showing the applicant as absconder. The applicant has been arrested on 16-10-2017.
6. Considering on the submissions and contents of the case diary and the evidence against the applicant, I am of this view that this is a fit case where the applicant should be granted bail.
7. Consequently, the application 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.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge