

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.1835 of 2018**

Tulsai @ T. S. S/o Shri Nandlal Aged About 25 Years Occupation- Agriculturist Cast- Panika R/o- Village- Lainga P.S.- Udaipur Tahsil- Lakhanpur, District- Surguja, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- P.S.- Ramanujnagar, District- Surajpur, Chhattisgarh.

---- Non-Applicant

For Applicant:	Shri AN Pandey, Advocate.
For State/Non-Applicant:	Shri Satish Gupta, Govt Advocate.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J
Order On Board

23.5.2018

1. The Applicant has filed this application under Section 439 Code of Criminal Procedure for grant of regular bail as he is in custody since 18.02.2018 in connection with Crime No.26/2018 registered at Police Station – Ramanujnagar, District Surajpur (CG) for the offence punishable under Sections 307, 353, 186, 279, 337, 379 and 382 IPC.
2. The Applicant, along with other three accused persons, allegedly deterred the Government servant from performing his duties by dashing him while he intercepted the accused persons at the time when they were transporting illicit forest produce near Kailashpur main road.
3. Admittedly, the employee of the Forest Department who has lodged the First Information Report has not sustained any injury. Offence under Section 307 has been registered on the allegation that the Applicant tried to attempt on his life by riding motorcycle upon him. All other offences are triable by the Judicial Magistrate, First Class.

4. Learned Counsel for the Applicant would submit that the Applicant has been falsely implicated in the instant case and therefore, he may be released on bail.

5. On the other hand, learned counsel for the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, the nature of allegations and that the Applicant is in jail since 18.02.2018, without further commenting on merits, I am inclined to release the Applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C is allowed and 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 trial Court. He shall also appear before the trial Court as and when directed. It is made clear that if the Applicant involves himself in the offence of similar nature in future, this order granting bail to the Applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge