

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 3347 of 2018**

Ram Kumar @ Kumar Yadav, S/o. Shri Judawan, Aged About 28 Years, R/o- Dabarapara (South), Bhilai-3, Tahsil Patan, District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station Purani Bhilai, Civil And Revenue District- Durg, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Purnendra Khicharia, Advocate
For State/respondent	: Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**03/07/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.57/2017, registered at Police Station – Purani Bhilai, District – Durg (C.G.), for the offence punishable under Section 294, 341, 147, 148, 149, 186, 353, 427, 435 and 307 of the Indian Penal Code and Section 3 of the Prevention of Damages to Public Property Act, 1984.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 09.04.2018. No case is made out against this applicant. Similarly placed co-accused persons namely Bhuneshwar Patel and Suraj Sahu have been enlarged on bail by this Court. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the case of the prosecution on the date of incident, a mob attacked the police party armed with clubs, sticks and obstructed in the performance of the duty by the police personnel. The same mob has set ablaze the police vehicle in that incident. The allegation against this applicant is this that he was also present in the mob and was actively engaged in assaulting the police personnel and setting ablaze the police vehicle.
6. Considered on the submissions made and the contents of the case diary. Considering on all the material present in the case diary and looking to the fact that co-accused persons in this case have already been enlarged on bail, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge