

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3455 of 2018

- Prateek Singh @ Aakash Singh S/o Uttam Singh Thakur Aged About 22 Years R/o Village Surdhug, P. S. Jamul, Tehsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Jamul, Durg, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent -

For Applicant	:	Mr. Mateen Siddiqui, Advocate.
For Respondent	:	Mr. Vinod Tekam, 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 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.298/2017 registered at Police Station- Jamul, District – Durg(C.G.) for the offence punishable under Sections 436 & 34 of the Indian Penal Code and Sections 3 & 6 of Prevention of Damages to Public Property Act, 1984.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 4.6.2017. No case is made out against him. The case is before the trial Court and the complainant has been examined, who have not been given any statement against this applicant. Apart from that one co-

accused person Rakesh Dewangan has been granted regular bail by this Court. Hence, it is prayed that he may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there are 3 other eyewitnesses who have also made a statement before the trial Court about the presence of applicant and his involvement. The applicant has a previous criminal antecedents under the provisions of IPC. Hence, no case is made out for grant of bail.
4. Heard both the parties and perused the case diary.
5. The case against this applicant is this, that this applicant along with other co-accused person set fire to City Bus bearing registration No.CG-07-E-1447, which was kept inside to the boundary wall of the Community Centre. Hence, this case.
6. Considered on all the material present in the case diary, and also considering this fact that the co-accused person has been granted regular bail by this Court, for these reasons, I am of this view that applicant should be granted 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