

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4003 of 2018

Rakesh Sonkar S/o Santosh Sonkar, Aged about 24 years, R/o Village- Lagra,
Police Station- Fasterpur, Tahsil- Lormi, Distt. Mungeli (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station- Fasterpur,
Distt. Mungeli (C.G.).

---- Respondent

For Applicant	:	Mrs. Fouzia Mirza, Advocate
For Respondent	:	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

28/06/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 28/2018 registered at Police Station- Fasterpur, Distt. Mugeli (C.G.) for the offence punishable under Sections 294, 506, 323, 186 & 353/34 of IPC.
2. As per prosecution story complainant- Brijlal Rathour is working as Assistant Lineman in the Distribution Center of Lagra. On 23/03/2018 at about 6:30 pm, 11 KV Lagra Feeder got out of order. When the patrolling was done, it was found that near Bajrangbali Mandir, wire of 11 KV Feeder got snapped and was lying on the ground. At the time of repairing, it is alleged that present applicant and other residents of village Lagra were pressuring the operator to start the line. They also assaulted the operator by hands and fists. It is further alleged that

when complainant- Brijlal reached the control room, the applicant along with other co-accused again assaulted the complainant and his son also. The matter was reported and the offence was registered. The applicant was arrested on 09/05/2018,

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He is in custody since 09/05/2018, offence is triable by the Magistrate only and the trial will likely to take some more time, therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicant is in custody since 09/05/2018, offence is triable by the Magistrate only and the trial will likely to take some more time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

Judge
Arvind Singh Chandel