

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5015 of 2018

Adarsh Patel S/o Anjani Patel Aged About 20 Years R/o Village Pashupatipur
P. S. Basantpur District Balrampur- Ramanujganj, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Chowki Wadrafnagar, P. S.
Basantpur District Balrampur- Ramanujganj, Chhattisgarh **--- Respondent**

For Applicant	:	Shri A.N. Pandey, Advocate
For Respondent/State	:	Shri Chandresh Shrivatava, PL

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

Order On Board

14/09/2018

Heard.

1. The applicant has been arrested in connection with Crime No.63/2017 registered at Police Station – Chowki Wadrafnagar, P.S. Basantpur, District Balrampur-Ramanujganj for alleged commission of offence under Sections 147, 148, 353, 323, 506, 332, 184 & 427 of IPC.
2. Case of the prosecution is that at the time of removal of encroachment, the applicant and other co-accused was obstructed the public authorities and also assaulted them by pelting stone to deter from discharge of their public duty and function.
3. Learned counsel for the applicant submits that the investigation is complete , charge sheet has been filed and the applicant is in jail since 26.05.2018 and the other co-accused similarly situated namely Kumari Kiran has been granted bail. Therefore, at this stage, the applicant may also be granted bail.
4. On the other hand, learned State counsel opposes bail application and submits that when the Government official reached the spot and started proceeding of removal of encroachment from Government land, number of villagers including present applicant, co-accused surrounded and started pelting brick and stone on the Government official and thus caused injury, therefore, prima facie case is made

out against the applicant.

5. Taking into consideration the submission made by learned counsel for the parties, considering the statement on record and further taking into consideration that the investigation is complete, charge-sheet has been filed and the applicant is in jail since 26.05.2018, therefore, at this stage, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the Trial Court. He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Sd/-
(Manindra Mohan Shrivastava)
Judge