

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5927 of 2018**

Radhe Shrivastava S/o Janak Shrivastava Aged About 45 Years R/o-
Dhamki, P.S. And Tahsil Kawardha, District- Kabirdham, CG

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer, Police
Station Kawardha, Civil And Revenue District- Kabirdham, CG

---- Respondent

For applicant	Mr. Pradeep Singh Rathore, Adv.
For Respondent/State	Mr. Vinod Tekam, PL

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****11-9-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 77/2018 registered in police station Kawardha (CG) for offence punishable under Section 436 of the IPC.
3. Prosecution story in brief is that on 8-2-2018 at about 18 hrs. at village Dhamki, the applicant set at fire the house of the complainant and caused damage worth Rs. 1 lac.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
6. Looking to the above facts and circumstances of the case, looking to the facts that there is no likelihood of the accused to abscond and tamper the evidence, trial will take its own time, applicant is in custody since 6-2-2018, this Court is inclined to give benefit of Section 439 of the Cr.P.C. to the applicant. Consequently, the application is allowed. It is ordered that if the

applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge