

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6039 of 2018**

- Sunny Thakur S/o Late Gokul Singh Thakur Aged About 24 Years R/o- Village- Bhadrappara, Police Station- Balconagar, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Ajk, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For State/respondent	: Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****17/09/2018**

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.23/2018 registered at Police-Station-AJK, District-Korba(C.G.) for the offence punishable under Sections 294, 506, 353, 332, 186, 34 of the Indian Penal Code and Section 3(2)(5-a) of Scheduled Castes, Scheduled Tribes (Prevention of Atrocities) Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against him. Similarly placed co-accused Smt. Shakuntala Thakur has

been granted regular bail by this Court in MCRC No.4908/2018 vide order dated 01.08.2018. Hence, it is prayed that he may be released on regular 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. The case against the applicant is this, that this applicant had been in company of the co-accused Shakuntala Thakur, who had been to the police station for lodging FIR, it is at that time some dispute arose and an scuffle took place and it is alleged that this applicant and the co-accused thrashed the complainant Head Constable Aatmaram Kanwar, who was on duty and thus deterred him from performing his official duty. The complainant happens to be a member of Scheduled Tribes.
6. Considering the entire material present in the case diary and for the reason that similarly placed co-accused Shakuntala Thakur has been granted regular bail. For this reason, I am of the view that this is a fit case where applicant should also be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed. 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge