

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6598 of 2018

- Kaushal Binjwar S/o Shri Gautriya Binjwar Aged About 32 Years R/o Village Kalmitar, Thana Ratanpur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Sarkanda District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Shri Surendra Kumar Dewangan, Advocate
For Respondent/State	: Shri Samir Behar, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

04/10/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 585/2018 registered at police station Sarkanda, District Bilaspur (CG) for the offence punishable under Sections 186,323,353,294,506,324 & 307/34 IPC.

As per prosecution case, at night when the police patrolling van caught the present applicant and one Santosh Bhinjwar who had collected some stones on the roadside, in frond of a school, they were asked by one of the Constable as to why they had kept the stones, the present applicant had bite with teeth and also assaulted him.

Counsel for the applicant submits that the applicant has been falsely implicated and that there was no any intention to assault the complainant. He submits that the trial will take time for final disposal and therefore he may be

released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am inclined to release him on bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge