

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8107 of 2017**

Umashankar @ Shanu S/o Rohitlal Miri, Aged About 30 Years Caste Satnami, R/o Village Jairamnagar, Police Station Masturi, District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through District Magistrate Police Of Police Station Hasoud, District Janjgir Champa Chhattisgarh

---- Respondent

For the Applicant : Shri Akhtar Hussain, Advocate.
For the Respondent/State : Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.03.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.155 of 2017, registered at Police Station – Hasoud, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 354, 506, 452 and 294 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant is in jail since 16.11.2017 and he has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. The applicant is a local resident of District Bilaspur and he is ready to abide by all the conditions imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. Victim – Ku. Babita Bharadwaj is a member of Home-guards. She lodged FIR against the applicant alleging that on 14.11.2017, the applicant came to visit her, used abusive words and threatened her for the reason that the victim was not receiving his calls on her mobile phone and after threatening with dire consequences, the applicant also tried to assault her. On that basis, FIR has been lodged and the case has been registered against the applicant.
6. Considering the entire material present in the charge-sheet, the applicant is a local resident of District Bilaspur, the case is triable by the Judicial Magistrate First Class and the conclusion of the trial is likely to take some time for its final disposal, I am of the considered opinion that the applicant deserves to be released on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the 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