

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 61 of 2019

- Komal Ram Patle S/o Ramprasad Patle, Aged About 28 Years R/o Village- Jhalri, Chouki- Khudiya, Police Station- Lormi, District- Mungeli, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Lormi, Chouki- Khidiya, District- Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Shri A.K. Yadav, Advocate.
For Respondent/State : Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

12/03/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 522/2018, registered at Police Station – Lormi, District - Mungeli, (C.G.) for the offence punishable under Sections 294, 323, 506, 354, 394 of the IPC.
2. As per the prosecution story, on 04.12.2018, a report has been lodged by the prosecutrix, who is a lady aged about 50 years wherein it has been stated that an accident took place in which her husband dashed the child of the Applicant with motorcycle and due to that the Applicant assaulted and abused her (prosecutrix). When husband of the prosecutrix opposed, then the Applicant also assaulted him and thereafter forcibly took his motorcycle saying that he will only return the said motorcycle when husband of the prosecutrix will give him Rs. 10,000/-. The Applicant has been taken into custody on 07.12.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due

to some dispute arising out of accident. He also submits that charge-sheet has been filed, Applicant has been taken into custody on 07.12.2018 and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 07.12.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge