

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 742 of 2019

- Ashok Anant, S/o Shri Dayaram Anant, aged about 28 years R/o Village Dhandhan Police Station & Tahsil Takhatpur District Bilaspur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Takhatpur, District Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Dheerendra Pandey, Advocate.
For Respondent/State	: Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15/02/2019

1. The applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 396/2018, registered at Police Station – Takhatpur, District- Bilaspur (C.G.) for the offence punishable under Section 147, 294, 323, 452 & 506 of the IPC.
2. First bail was dismissed for want of prosecution vide order dated 21.01.2019, passed in MCRC No. 9887/2018.
3. As per prosecution story, on 09.10.2018, complainant Kailash Baghel lodged a report in police station wherein, it has been alleged that on 08.10.2018 at about 6 PM, present applicant along with other co-accused person entered in his house thereafter abused him, assaulted him and also threatened him for life. On the basis of said complainant, offence has been registered against the present applicant and he has been arrested on 17.11.2018.

4. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that other co-accused person has already granted benefit of bail by the Trial Court itself, the applicant is in custody since 17.11.2018, charge-sheet has already filed and trial will take some time. Therefore, he may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that other co-accused person has already granted benefit of bail by the Trial Court itself, the applicant is in custody since 17.11.2018, charge-sheet has already filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail application is allowed.
9. 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 Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge