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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1410 of 2019**

1. Pokhraj Singh S/o Shri Rajendra Singh Aged About 42 years
2. Ashish Singh S/o Shri Raj Bahadur Singh Aged About 32 Years

Both are R/o Village- Puran, Police Station- City Kotwali, Mungeli,
District- Mungeli, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Police Station- City Kotwali, District-
Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Faiz Kazi, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Advocate
For the Objector	:	Shri Devesh Kela, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.733/2017 registered at Police Station City Kotwali, Mungeli, District Mungeli (C.G.) for the offence punishable under Sections 34, 294, 506, 427 and 458 of IPC.
3. Case of the prosecution, in brief is that complainant Kavita Singh is resident of Mungeli. On 12/12/2017 at about 10.30 p.m. applicants and co-accused Manish Singh had entered in the house of the complainant, they abused her, gave threats to kill his son. They had also broken the household articles of the house of the complainant.
4. Counsel for the applicants submitted that applicants have not committed any offence, they are innocent and has been falsely implicated in the case. Applicants have been implicated in this case on account of political rivalry. They had also lodged a report against the complainant party. He drew my attention on Annexure-A/5.
5. On the other hand, counsel for the State opposes the bail application. He

further submitted that 9 other criminal cases have been registered against the applicant No. 1 Pokhraj Singh out of which 5 cases under IPC, 4 cases under CrPC, however no criminal antecedent has been reported against the applicant No. 2 Ashish Singh.

6. Counsel for the applicants further submitted that applicant No. 1 Pokhraj Singh has never convicted in any criminal case. In most of the cases the matter has been compromised.
7. Looking to the facts and circumstances of the case, looking to this fact tht 9 other criminal cases have been registered against the applicant No. 1, the bail application of applicant No. 1 Pokhraj Singh is rejected.
8. Looking to the facts and circumstances of the case, it is ordered that if the applicant No. 2 **Ashish Singh** furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge