

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1742 of 2019**

- Manoj Pandey S/o Devprasad Pandey Aged About 38 Years R/o Mahamai Ward Ward No. 7, Pathariya, Tahsil Pathariya, District Mungeli, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station Pathariya, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Shri Hemant Kesharwani and Shri K.P. S. Gandhi, Advocates.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/03/2019

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. 60/2019, registered at Police Station – Pathariya, District –Mungeli, Chhattisgarh, for the offence punishable under Sections 294, 506, 323, 452, 186, 353 of IPC and Section 3(1) (a) (b) of the SC/ST (Prevention of Atrocities) Act.
2. As per the prosecution story, Complainant Satya Prakash Madhukar is an employee of Nagar Panchayat Pathariya who belong to scheduled caste. Allegedly, on 30.01.2019 present Applicant who at the relevant time was Parshad, entered into the office of the Complainant and abused him, threatened him and also assaulted him with hand and fists. Allegedly, the Applicant obstructed the official work of the Complainant and also abused him in the name of his caste. On the basis of the said offence has been registered and Applicant has been taken into custody on 27.02.2019.

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 with the Complainant. He further submits that prior to the incident the present Applicant made complaint about the non-payment of balance amount, thus, Complainant made false allegation against Applicant to save himself. Applicant is in custody since 27.02.2019 and trial will take 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 Applicant is in custody since 27.02.2019 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