

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1795 of 2019**

- Shiv Kumar Yadu S/o Janak Yadu Aged About 35 Years R/o Village Matka, Police Station Bemetara, District Bemetara, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Bemetara, District – Bemetara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ishwar Jaiswal on behalf of Shri Vipin Singh, Advocates.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**08/05/2019**

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. 795/2018, registered at Police Station – Bemetara, District – Bemetara, Chhattisgarh, for the offence punishable under Sections 294, 332, 506, 186, 353 of the IPC.
2. As per the prosecution story, it is alleged that on 22.12.2018, Applicant went to the Court of Judicial Magistrate First Class, Bemetara for recording his evidence, at that time he had consumed liquor, due to that he abused and assaulted the Court Moharrir of the said Court. Report was made by Court Moharrir namely R. Rajiv Sharma. On the basis of the said report, offence has been registered. Applicant has been taken into custody on 22.12.2018.
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 with the Court Moharrir. He further submits that

Applicant has no previous antecedent, he is in custody since 22.12.2018 and trial will 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 Applicant has no previous criminal antecedent, he is in custody since 22.12.2018 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