

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2979 of 2019

- Dhaneshwar Singh Thakur S/o Faguva Singh Thakur Aged About 61 Years Retired Gramin Bank Officer, R/o Shikaripara, Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Station House Officer, Police Station Balod, District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Non-applicant

For Applicant : Shri Rajkumar Pali and Shri Amit Kumar Sahu, Advocates.

For Non-applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board14.05.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 174/2019 registered at Police Station – Balod District – Balod (C.G.) for the offence punishable under Sections 323, 294, 506 of the Indian Penal Code and Section 3(1)(S) of the SCST Act.
3. Case of the prosecution, in brief is that complainant Mahtu Ram is a member of Scheduled Tribe. On 22.02.2019 at about 11:30 hrs in front of State Bank Balod, applicant abused complainant on caste basis, gave threats to kill him, beat him by hands and fists.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant 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 Trial Court with the condition that he will 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE