

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4723 of 2019

Hemsagar Patel S/o Shri Ghanshyam Patel Aged About 36 Years
Caste - Aghariya, R/o Kanshidih, Police Station Chandrapur, District
Janjgir Champa Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, District Janjgir
Champa Chhattisgarh.

---- Respondent

For Applicant : Mr. Raghvendra Pradhan, Advocate.
For Respondent/State : Ms. Shriya Mishra, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

14/08/2019

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. 90/2019, registered at Police Station – Chandarpur, District- Janjgir-Champa (C.G.) for the offence punishable under Section 294, 506, 323, 186, 353 & 332 of the IPC.
2. As per prosecution story, on 07.06.2019, the official work of installation of electricity tower was going on allegedly, the Applicant at that time reached the spot and used filthy language with officials and employees of the tower company. It is further alleged that the Applicant has also assaulted some of the persons due to which they have sustained certain injuries. On the basis of said background, offence has been registered and report was lodged by Pramath Ranjan Vishwas. The Applicant is in custody since 07.06.2019.
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 officials and Prima Facie no offence can be made out against the present Applicant. He further submits that the Applicant has no criminal antecedents, he is in custody since 07.06.2019 and trial is likely to 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 with due care.
6. Considering the facts and circumstances of the case the evidence collected by the prosecution and particularly considering the fact that the Applicant has no criminal antecedents, he is in custody since 07.06.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant 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 Trial Court for his appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)
Judge**