

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4942 of 2019

- Farid Akhtar S/o Mohd. Hasim Aged About 22 Years R/o Takiya Para, Durg, Police Station Kotwali, Durg, Tahsil & District Durg Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Supela, District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ishwar Jaiswal, Advocate.
For Respondent	:	Mr. Aditya Sharma, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/08/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.659/2019 registered at Police Station–Supela, District– Durg (C.G.) for the offence punishable under Sections 294, 427, 186, 353, 323, 34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 12.07.2019. No case is made out against this applicant. Charge-sheet has been filed after completion of investigation. Hence, it is prayed that he may be released on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, when complainant Prakash Singh, Sub-Inspector of Police, in the discharge of his official duties, was stopping the vehicles for checking, he was abused, manhandled and deterred by the applicant & other accused persons from discharging his official duty and thereby all of them have committed the offence. They have also caused damage to some properties. Hence, this case.
6. In view of the fact that charge sheet has been filed and now the case is pending for trial before the trial Court concerned, no purpose would be served in keeping the applicant in jail. Hence, I am of this view that this is a fit case where applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
8. It is prayed by the learned counsel for applicant that applicant is a Muslim and 'Id-ul-Zuha, a Muslim festival, is going to be celebrated on 12th August, 2019, therefore, a specific order be passed for furnishing bail bond before the remand Court.
9. On due consideration, the prayer is allowed and it is directed that the applicant is at liberty to furnish bail bond before the **remand Court** for his release on bail.
10. Certified copy today.

Sd/-

(Rajendra Chandra Singh Samant)
Judge