

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C No. 5033 of 2019

Pradeep Lahre S/o Jhumlal Lahre Aged About 35 Years Caste - Satnami,
R/o R P Nagar, Phase - 2, Kosabdi Korba, Police Outpost - Rampur,
Police Station Kotwali, Korba, Civil and Revenue District Korba
Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Ajak Police Station
Korba, Civil and Revenue District Korba Chhattisgarh.

---- Respondent

For Applicant.	:	Shri D.G. Kela, Advocate.
For State/Respondent.	:	Shri B.L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey
Order on Board

22/10/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.33/2018, registered at Police Station- Ajak Police Station, District – Korba, (C.G.) for the offences punishable under Section 307, 34 of the Indian Penal Code & Sections 3(1)(r), 3(1)(s) & 3(2)(5a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989.
2. As per prosecution story, on 01.10.2018, H.C. Jangde, father of the injured lodged a complaint against the present applicant and other co-accused persons stating therein that on 30.09.2018, the applicant along-with other co-accused persons abused his son/injured (Chandrakant Jangde) in the name of his caste and also assaulted him with a knife, as a result of which, his son sustained injuries on his stomach. On the basis of the said complaint criminal case has been registered against the present applicant and other co-accused persons. The anticipatory bail application of the applicant was dismissed as withdrawn on 22.02.2019 with a direction to the concerned Court to decide the application for

regular bail of the applicant preferable and practicably on the same day on which the applicant surrenders before the said Court.

3. It is submitted by learned counsel for the applicant that the applicant is innocent and he has been falsely implicated in this case. He further submitted that one of the co-accused person has already been granted bail by the co-ordinate bench of this Court. Lastly, he submitted that on the date of accident, the applicant was only present on the spot. He is in jail since 04.07.2019 and ready to abide by all the conditions which may be imposed while granting bail to the applicant, hence, it is prayed that the applicant may be released on bail.
4. On the other hand, the learned counsel for the State opposes the bail application and submits that the applicant is the main accused in this case, therefore, he is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the above facts and circumstances of the case, particularly the fact that one of the co-accused person has already been granted bail by the Court, charge-sheet has been filed and the applicant is in jail since 04.07.2019, trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed. It is directed that the applicant shall be released on bail on executing a personal bond in the sum of Rs. 50,000/- with one surety for the like amount to the satisfaction of the concerned trial Court for his appearance before it as and when directed.

Sd/-
(Rajani Dubey)
Judge

Jamal