

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5038 of 2019**

Sitaram Sahu S/o Ramkewal Aged About 40 Years R/o Village Gobar Daha,
Police Satation Raghunathnagar, District Balrampur Ramanujganj
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Raghunathnagar, District
Balrampur Ramanujganj Chhattisgarh., District : Balrampur, Chhattisgarh.

---- Respondent

For the Applicant : Shri V.K. Pandey, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****18.09.2019**

Heard.

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.59 of 2019, registered at Police Station – Raghunath Nagar, District – Balrampur-Ramunganj, Chhattisgarh for the offence punishable under Sections 294, 323, 394, 427, 435, 457 and 506 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 2.7.2019 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicant has been proceeded under the provisions of Cr.P.C. and two offences under the provisions of Indian Penal Code. Hence, for these reasons, the applicant is not entitled for bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, this applicant on the date of incident by using abusive words, threatening the complainant, and then assaulted and injured him after forcefully entering into the shop and he also damaged the property which was present inside the shop. It is further alleged that this applicant looted the key of the motorcycle of the complainant and after taking the same away he has set fire to the motorcycle and caused damage to the property which has been recovered at the instance of this applicant during the investigation.

6. Considering the fact that the charge-sheet has been filed and no purpose would be served if the applicant was kept in detention for the whole period of trial, therefore, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge