

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5211 of 2019**

Rocky @ Rakesh Bablani S/o Manoj @ Mansukh Bablani Aged About 29 Years R/o Near Telibandha Shamshan-Ghat, Dabripur, Ward No.44, PS-Telibandha, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P.S. Telibandha, District- Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri L.K. Mishra, Advocate.
For the Respondent/State : Shri Roshan Dubey, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.09.2019**

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.95 of 2019, registered at Police Station – Telibandha, District – Raipur, Chhattisgarh for the offence punishable under Sections 452, 427 and 506B of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 13.4.2019 and has been falsely implicated in this case. The applicant has not committed any offence. The case is now pending for trial before the trial Court. 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 this applicant has criminal antecedents and having a case under the provisions of the Chhattisgarh Excise Act and other cases of offence under Indian Penal Code. Hence, for these reasons, the applicant is not entitled for grant of regular bail.

4. In reply, it is submitted by counsel for the applicant that the applicant is on bail in all the previous cases against him.

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

6. According to the prosecution case, on the date of incident, the applicant forcefully entered into the house of the complainant and after threatening the complainant he caused damage to the plywood partition of the house of the complainant. Hence, this case.

6. Considering the fact that the case is now pending before the trial Court and the trial of the case is likely to take some time for its final disposal, 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

Nimmi