

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5336 of 2019

- Hemchand S/o Jairam Aged About 20 Years Caste Kevat, R/o Barour, Police Station And Tahsil Marwahi, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Marwahi, District Bilaspur Chhattisgarh

---- Non-applicant

For Applicant : Mr. Shikhar Bakhtiyar, Advocate.

For Non-applicant/State : Ms. Akanksha Jain, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 09.07.2019 in connection with Crime No.73/2019, registered at Police Station—Marwahi, District- Bilaspur, Chhattisgarh for offence punishable under Section 294, 506, 341, 186, 353, 307 and 392 of I.P.C.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 09.07.2019 and the applicant has not committed any offence. Charge-sheet has been filed, therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the complainant in this incident is a police man, therefore, the offence should be considered as serious. Hence, prayed that the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, complainant- Deep Shankar Paikra, who is a constable at Thana- Marwahi was accosted by this applicant and the co-accused persons then, the applicant and the co-accused persons abused, threatened and assaulted this complainant with hands and fists and then looted one mobile phone and motor cycle of the complainant.
6. Considering that the injuries received by victim are reported to be simple in nature, this applicant does not have any criminal antecedent and the case is now pending for trial, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
8. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge