

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5234 of 2019

Tulsi Sengar, S/o. Late Shri Sahdev Sengar, Aged About 42 Years, R/o. Ward No. 01, Awaspara, Sirgitti, P.S.- Sirgitti, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : S.H.O., P.S. Sirgitti, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Achyut Tiwari, Advocate
For Respondent/State	: Mr. Arijit Tiwari, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

20/09/2019

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.100/2019, registered at Police Station – Sirgitti, District – Bilaspur (C.G.) for the offence punishable under Section 147, 148, 294, 323, 435, 506, 307 of the Indian Penal Code and Section 25 and 27 of Arms Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 22.03.2019. No case is made out against the applicant according to the material present on record. Similarly placed co-accused persons have been enlarged on bail by this Court. Therefore, it is prayed that the applicant may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, it is alleged that this applicant along with other co-accused persons formed an unlawful assembly and then abused and threatened the victim of this case, assaulted the victim with rod, clubs and stones causing injuries to them. One of the victim Saif Rashid has received fracture on his skull. Hence, this case.
6. Considered on the submissions made and the contents of the case diary. Considering that similarly placed co-accused persons have been granted bail by this Court, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge