

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5569 of 2019

- Shankar Yadav S/o Ratu Ram Yadav Aged About 53 Years R/o Village Ragara, Thana - Bagicha District Jashpur Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bagicha, Jashpur, District Jashpur Chhattisgarh.

---- Respondent

For Applicant	: Shri Sanjay Agrawal, Advocate
For Respondent /State	: Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.78/2019 registered at police station Bagicha, District Jashpur (CG) for the offence punishable under Sections 294,506 and 323 IPC and Section 3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

As per prosecution case, complainant lodged a report alleging that when his wife was returning home, on the way applicant asked her for some favour and when she did not agree for the same, he abused her in the name of caste and also assaulted her.

Counsel for the applicant submits that the applicant has been

falsely implicated in the crime and as there is some land dispute between their families and therefore a false compliant has been lodged. He further submits that the applicant is in jail since 22.07.19 and the trial will take time for final disposal and therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge