

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5594 of 2019**

- Mukesh Chouhan S/o Shri Harendra Chouhan Aged About 21 Years R/o Kailash Nagar, Titurdih Durg, Police Station Mohan Nagar Durg, Tahsil And District Durg, Chhattisgarh.,

----Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Avinash Chand Sahu, Advocate.
For Respondent	:	Mr. Akhtar Hussain, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 501/2018 registered at Police Station - Pulgaon, District Durg (C.G.) for the offence punishable under Sections 147, 436, 332, 353, 186 of IPC and Sections 3 & 4 of Prevention of Damage to Public Property Act 1984.
- The prosecution story in brief is that, a report has been lodged by the Superintendent of Juvenile Justice Home Pulgaon alleging therein that on 10.12.2018 between 8.00 PM and 08.30 PM, present applicant along with other accused persons came to the Juvenile Justice Home and started pushing the door and also assaulted the care taker with the help of hands and feet. Thereafter, offence has been registered against the applicant and he was arrested on 19.06.2019.
- Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that, all the prosecution witnesses have not supported the case and turned hostile. Applicant is jail since 19.06.2019, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the fact that all the witnesses have not supported the prosecution case and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge