

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5878 of 2019**

- Lal Prasad son of Ramjeet, aged about 45 years, resident of village Narola, Tahsil – Pratappur, District Surajpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Outpost Revti, Police Station – Chandaura, District Surajpur (C.G.)

---- Respondent

For Applicant	:	Shri D.N. Prajapati, Advocate
For Respondent	:	Shri Anil Tripathi, P.L.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.39/2019, registered at Police Station – Outpost Revti, Police Station – Chandaura, District Surajpur (C.G.) for the offence punishable under Sections 436 and 427 IPC.
2. The prosecution story, in brief, is that on 28.06.2019, due to previous animosity, the applicant set the house of complainant on fire and caused damaged to the tune of Rs.26,000/-. Based on this, offence has been registered against the applicant. The applicant has been taken into custody on 29.06.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that there is no eye witness to the incident and only on presumption, the applicant has been arrested.

He also submits that the applicant is in custody since 29.06.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, the quality of evidence and further considering the fact that the applicant is in custody since 29.06.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge