

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6109 of 2019**

- Brijmohan @ Ballu S/o - Banthu Verma Aged About 33 Years, R/o - Village Dhondha, Police Station Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Station Gandai, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Uttam pandey, Adv.
For Respondent/State	: Mr. B.L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 194/2019 registered at Police Station Gandai, District-Rajnandgaon (C.G.) for the offence punishable under Sections 451 and 294 of IPC and 3 of Prevention of Damages to Public Property Act.
2. The prosecution story, in brief is that, on 20.08.2019 a report was lodged by Accountant Joidharam Janghel that, the applicant went to the office and asked the mobile number of Board of Director, on which the employee had informed the accused/applicant that after loading the mobile number in computer, the same will be provided to the applicant, thereafter the applicant closed the door of office and abused employees and also damaged the property like chair, computer, UPS, CPU. Based on this offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that the applicant has no previous antecedent. The applicant is in jail since 20.08.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence is triable by Judicial Magistrate First Class, the applicant is in jail since 20.08.2019 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
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**