

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6855 of 2019

- Lalji Khairwar S/o Prakash Singh Khairwar Aged About 24 Years
R/o Pudang, Police Station - Samri Path, District - Balrampur -
Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Samri Path,
District - Balrampur - Ramanujganj Chhattisgarh.

---- Respondent

For Applicant : Shri Pushpendra Kumar Patel, Advocate
For Respondent/State : Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

10/12/2019

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.39/2019 registered at police station Samripath, District Balrampur, Ramanujganj (CG) for the offence punishable under Section 8(2) of the Chhattisgarh Jan Suraksha Adhiniyam.

As per prosecution case, on receiving information, the applicant obtained Rs. 10,000/- from the Commander of Communist Party of India (Maoist) a banned organization, for providing clothing and medicine to him and other members of the party.

Counsel for the applicant submits that the applicant is innocent

and he has been falsely implicated. He submits that the applicant is in jail since 20.07.19; the charge sheet has been filed; the offence is triable by magistrate and the trial will take time for final disposal and therefore he may be released on bail.

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

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicant, I am inclined to release him on 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 of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned court for his appearance before it as and when directed, he shall be released on bail.

Sd/-

(Rajani Dubey)
Judge