

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6901 of 2019**

- Rakesh Pankaj S/o Pardeshi Lal Pankaj Aged About 40 Years R/o Quarter No. A-2/2 Sector -4, Balco Nagar, Korba, Tahsil And District - Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - Station House Officer, Chowki Manikpur, Police Station - Kotwali, Korba, District - Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	:Shri Anish Tiwari, Advocate.
For Respondent	:Shri Sameer Sharma, Dy. Govt. Advocate

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06/12/2019**

- 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.617/2019 registered at Police Station Chowki Manikpur, Police Station Kotwali, Korba, District Korba(C.G.) for the offence punishable under Sections 147, 341, 342, 294, 186, 353, 332, 427 of the IPC.
- As per the case of prosecution, on 4.10.2019 at about 11.30 pm in the night, the applicant along with other co-accused persons consumed liquor and started harassing the people at public place, passing through the road and when patrolling team of police reached to control them, they abused the police persons and damaged the patrolling vehicle.

- Learned counsel for the applicant submits that the applicant has not committed any offence and the applicant along with his friends were standing and talking on the road only. He submits that the offence is triable by Magistrate and applicant is in jail since 5.10.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
- On the other hand, learned counsel for the State opposes the bail application.
- Perused the entire material available on record.
- Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the offence is triable by Magistrate, I am of the opinion that present is a fit case to release the applicant on bail.
- Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
- It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
- Certified copy as per rules.

Sd/

(Rajani Dubey)
Judge