

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7062 of 2019

- Sandeep @ Chhotu Yadav S/o Late Sitaram Yadav Aged About 26 Years R/o Behind Of B. T. I. Janjgir, Police Station - Janjgir, Civil And Revenue District - Janjgir - Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Janjgir, Civil And Revenue District - Janjgir - Champa Chhattisgarh.

---- Respondent

For Applicant	: Shri Parasmani Shrivastava, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

20/12/2019

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.418/2019 registered at police station Janjgir, district Janjgir-Champa (CG) for the offence punishable under Sections 147,294,186 and 353 IPC and Sections 4 & 6 of the CG Chikitsa Sevak Tatha Chikitsa Seva Sansthan Adhiniyam 2010.

Case of the prosecution in brief is that on 17.09.2019, when the complainant Dr. Naval Kishore Dhurve was treating the patient in the O.T. who has consumed poison, some crowd was going by that way and were raising noises. It is alleged that when the complainant forbade them, the present applicant along with one Multazir Khan,

abused and assaulted him with hand fists and they also slapped him.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that similarly placed co-accused has already been granted bail by the court below and therefore the applicant may also be granted the same benefit. He submits that the applicant is in jail since 18.09.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular 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 in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge