

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9997 of 2018**

Virendra Kurre S/o Shri Hariharlal Kurre Aged About 48 Years R/o Hospital Sector, Dallirajhara, P.S.- Dallirajhara, District- Balod, Chhattisgarh., District : Balod, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station-Azad Chowk, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Pawan Kesharwani, Advocate.
For the Respondent/State : Shri Aditya Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****26.04.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.151 of 2018, registered at Police Station – AZAD Chowk, District Raipur, Chhattisgarh for the offence punishable under Section 124(A) of the Indian Penal Code and Section 3 of the Police (Incitement to Disaffection) Act, 1922.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The applicant is in jail since 25.6.2018. The investigation in this case has been completed and the case is before the trial Court. The applicant has not committed any offence as alleged. He has

simply led a movement against the arbitrary action of the high police officials because of which, he has been falsely implicated in this case. Hence, for these reasons, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is serious charge against the applicant. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. The case of the prosecution is that this applicant led the families of policemen and induced them to wage war against the higher authorities of Police Department.

6. After considering the facts and circumstances of this case and also considering the fact that the investigation in this case has been completed and the case is now before the trial Court, I feel inclined to grant regular bail to the applicant.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when

directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge