

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 506 of 2020**

- Ram Sagar Kashyap S/o Shyam Lal Kashyap Aged About 29 Years R/o Village Ghivri, P. S. Birra, District Janjgir-Champa Chhattisgarh At Present Near Railway Crossing, Imliduggu Korba, Tehsil And District Korba, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : P. S. Kotwali, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rajesh Kumar Kesharwani, Adv.
For Respondent/State	: Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/03/2020**

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. 248/2019 registered at Police Station - Kotwali, Korba, District - Korba (C.G.) for the offence punishable under Sections 186, 294, 332/34, 341 and 353 of the IPC.
2. The prosecution story, in brief is that, constable Aakash Mishra lodged a report that when he was on duty and went to search the accused Sagar Kashyap (present applicant) in other crime No. he enquired to the applicant, at that time, the wife of the applicant assaulted to the constable and applicant torn the constable's uniform, and used filthy language. Based on this, offence has been registered against the present applicant and co-accused.
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 charge-sheet has been filed and the applicant is in jail since 23.12.2019, 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, detention period of applicant and further considering the facts that the applicant is in jail since 23.12.2019 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**