

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 553 of 2020

- Sageer Khan S/o Shahjad Khan Aged About 40 Years Resident Of Keshkal, Police Station Keshkal , District Kondagaon Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Keshkal, District Kondagaon Chhattisgarh

---- Respondent

For Applicant	: Shri Sandeep Dubey, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL
For Respondent/Objector	: shri Vikas Shrivastava, Advocate

Hon'ble Smt. Justice Rajani Dubey

Order On Board

12/03/2020

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.03/2020 registered at police station Keshkal, District Kondagaon (CG) for the offence punishable under Sections 294,323,506,186,353,452, 332,34 and 75 IPC.

As per prosecution case, on the date of incident i.e. 08.01.2020, at about 10.30 am, some dispute arose between the complainant and the applicant on removing the table outside the Nagar Panchayat office. After sometime, the applicant along with the co-accused persons armed with weapons, entered the Nagar Panchayat office and abused the Municipal Officer as well as other employees over there

and assaulted them.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the charge sheet has been filed; the offence is triable by Magistrate; the applicant is in jail since 08.01.2020 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 as well as the objector 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 with following conditions:

- i) the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- ii) the applicant shall appear before the trial court on each and every date given to him by the said Court till the disposal of the trial.

Sd/-
(Rajani Dubey)
Judge