

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7172 of 2021**

- Dheeraj Jaiswal, S/o Sachchidanand Jaiswal, Aged About 40 Years, Occupation Agriculture & Transport Ex. S.P.O. R/o Ward No. 10, Mahalpara, Nagar Baikunthpur, District Koriya Chhattisgarh, At Present R/o Village Karsi Makanpur, Police Station & Tashil Pratappur District Surajpur Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through: The Station House Officer, Police Station Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Vijay Kumar Sahu, Adv.
For Respondent/State	:	Mr. Anurag Verma, P.L.
For Objector	:	Mr. Sanjeet Kumar Pandey on behalf of Mr. Shakti Raj Sinha, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.10.2021**

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. 130/2021 registered at Police Station- Rajpur, District Balrampur Ramanujganj (C.G.) for the offence punishable under Sections 384, 394, 506, 294 of IPC and section 25, 27 of Arms Act.
2. The prosecution story, in brief is that, complainant lodged a report alleging that on 13.07.2021, applicant came to the storage site and demanded diesel and cash amount and when complainant refused the same thereafter, applicant pretends himself as a police staff and started abusing him in filthy language and also threatened him by showing pistol. Thereafter, offence has been registered against the applicant and he has been taken into custody.
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 there is no seizure of pistol from the possession of the applicant and charge-sheet has been filed. He further submits that the applicant is in jail since 15.07.2021, 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 and submits that the offence committed by the applicant is of serious in nature, therefore, no case is made out to release the applicant on bail.
5. Learned counsel appearing for the objector opposes the bail application.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that applicant is in jail since 15.07.2021 and charge-sheet has already been filed, 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.
8. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/-, 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**

R/-