

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3493 of 2015**

Karan Lal Sahu, son of Shyamlal Sahu, aged about 26 years, by
caste- Teli, R/o. Village – Potapara Thana-Bagbahar, Tahsil
Piyhora, Distt. Mahasamud (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through : the Station House Officer,
Police Station Tumgaon, Distt. Mahasamund.

---- Non-Applicant

For Applicant: Shri Sunil Sahu, Advocate.
For Non-applicant/State: Shri Suvigya Awasthy, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****27/07/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.132/2012 registered at Police Station –Tumgaon, Distt. Mahasamund for the offence punishable under Section 392 of the Indian Penal Code & Sections 25 & 27 of the Arms Act.

(2) Case of the prosecution is that the applicant along with other co-accused persons looted silver ornaments valued at Rs. 14,500/- approximately.

(3) Learned counsel for the applicant submits that applicant is in jail since 4.5.2012 and the trial has not been concluded for various reasons not attributable to the applicant. He further submits that the

applicant has falsely been implicated in the offence in question as nothing has been seized from his possession; and similarly situated co-accused Loknath @ Rahul @ Golu Dubey has already been released on bail by this Court on 21.05.2015 in M.Cr.C. No.2485/2015 and, therefore, the applicant may be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Having heard learned counsel for the parties, taking into consideration that the applicant is in jail since 4.5.2012 i.e. for more than three years, the trial has not been concluded; nothing has been seized from the applicant's possession and considering the fact that similarly situated co-accused Loknath @ Rahul @ Golu Dubey has already been released on bail by this Court on 21.05.2015 in M.Cr.C. No.2485/2015, I am inclined to allow the application. Thus, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one 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 till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-