

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7266 of 2015

Raja @ Rajpal Bandhan, S/o. Late Ramlal, aged about 20 years,
R/o. Behind Police Line, Bapunagar, P.S. City Kotwali, Tahsil and
District – Raigarh, Civil and Revenue District – Raigarh (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station : City Kotwali,
District Raigarh (C.G.).

---- Respondent

For Applicant	:-	Mr. M.K. Sinha, Advocate
For Respondent/ State	:-	Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

23/12/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No. 287/2015 registered at Police Station- City Kotwali, Raigarh District Raigarh (C.G.) for the offence punishable under Section 294, 506, 323/34, 394 of IPC.
2. As per prosecution story, on 05.04.2015 the applicant alongwith other co-accused persons were assaulted the complainant by way of club and looted an amount of Rs. 13,000/- from the pocket of complainant and also looted a Micromax mobile by the applicant and other co-accused.
3. Counsel for the applicant submits that the applicant is innocent and he has been falsely implicated in this case. He further submits that due to quarrel between the complainant and the applicant a false case has been made against the applicant. He further

submits that similarly placed co-accused in this case has been enlarged on bail by this Court in M.Cr.C. No.6238/2015 vide order dated 23.11.2015, therefore, the counsel prays that the applicant may also be enlarged on bail.

4. Per contra, counsel for the State opposes the prayer for grant of bail, however, he do not dispute the fact that other similarly placed co-accused has been enlarged on bail..
5. Considering the fact that similarly placed co-accused in this case has been enlarged on bail by this Court in M.Cr.C. No.6238/2015 vide order dated 23.11.2015, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge