

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6291 of 2015

- Dhanaram Rawat S/o Ramsay Rawat Aged About 40 Years
R/o Village Darrapara, Thakurpodhi, Thana Kapu, Tah.
Dharamjaygarh, Civil & Rev. Distt. Raigarh, Chhattisgarh.
--- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, P.S.
Kapu, Distt. Raigarh, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sumit Shrivastava, Advocate
For the Respondent	:	Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.11.2015

1. This is an application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 149 of 2014 registered at P.S. Kapu, Distt. Raigarh (C.G) for the offence punishable under Sections 458, 170, 342, 395, 398, 120-B of IPC and Sections 25, 27 of the Arms Act.
2. The prosecution story in brief is that on 07.12.2014, the complainant along-with co-accused entered into the house of Budhram and pretended that they are Police Officers and on that pretext, they committed dacoity. Subsequently on investigation being made, the applicant has been arrested.
3. Learned counsel for the applicant submits that the applicant is arrested only on the basis of memorandum of co-accused and he has not been identified and only 3 accused have been identified. He further submits that the applicant is in jail since 10.12.2014 and looking to his detention period, the applicant may be released on bail.

4. It is not disputed by the learned State Counsel that the applicant has not been identified and no recovery is made from him.
5. Considering the fact that neither the applicant has been identified nor any recovery is made from him and also considering that the applicant is in jail since 10.12.2104, I am inclined to allow this bail application.
6. Accordingly the application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court . He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**