

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4330 of 2015**

Gauri Shankar @ Pule, S/o Nav Kumar Pandey, aged about 22 years, Caste- Bramher, R/o Village Podi, Chowki Lodam, Thana @ Tahsil Jashpur, Revenue and Civil District Jashpur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh, Through: Station House Officer, Police Station Kunkuri, District Jashpur (C.G.)

---- Non-applicant

For Applicant:	Shri Sanjeev Sahu, Advocate.
For Non-Applicant	Shri Siddharth Rathore, Dy. Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****25/08/2015**

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.08/2014 registered at Police Station Kunkuri, District Jashpur for the offences punishable under Sections 384, 386 & 507 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicant phoned the complainant namely Mohd.Liyakat and directed him to have mobile phone recharged of ₹ 500 and also exhorted pressure upon him and, thereby, committed the aforesaid offences.

(3) Counsel for the applicant would submit that the applicant has not committed any offence as there is no evidence to connect the applicant with the crime in question. He would further submit that there is delay of five days in lodging the First Information Report as the incident had occurred on 15.01.2014 whereas FIR has been lodged on 20.1.2014 and the applicant has been arrested on 09.05.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

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

(5) Taking into consideration the facts & circumstances of the case, further considering the extent of delay in lodging the FIR; and the facts that applicant is in jail since 9.5.2015; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, 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/-

