

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6544 of 2015

Satyawan, S/o. Chandraparakash Satnami, Aged About 20 Years, R/o. Risda, P.S. City Kotwali, Balauda Bazar, Civil & Rev. Distt. Balauda Bazar- Bhatapara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through S.H.O., P.S. City Kotwali, Balauda Bazar, Civ. & Rev. Distt. Balauda Bazar- Bhatapara, Chhattisgarh

---- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Advocate

For Respondent : Mr. O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01/12/2015

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.354/2015 registered at Police Station- City Kotwali, Balauda Bazar, District Balauda Bazar- Bhatapara (C.G.) for the offence punishable under Section 392/34 of Indian Penal Code.
2. As per the prosecution case, in brief, the applicant alongwith other co-accused tied the Driver & Helper of the Truck and looted an amount of Rs.1300/- and two Mobiles. Therefore, the offence has been registered against him.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case as there is no evidence has been collected by the prosecution except recovery of Rs.300/- from the applicant. He further submits that the applicant is in jail since 12.10.2015, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into fact that the present applicant has not been identified except recovery of Rs.300/- and he is in jail since 12.10.2015, without any observation on merit, for the purpose of bail, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge