

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4954 of 2015

Rakesh Kumar Bhagat (Rakesh Kumar Tigga), aged about 24 years, S/o Mahipal Singh, R/o Taliya Mar, Police Station & Tahsil Katghora, Distt. Korba (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer of Police Station Shyang, Distt. Korba (C.G.)

---- Non-applicant

For Applicant:	Mr. Shailendra Dubey, Advocate.
For Non-applicant:	Mr. O.P. Sahu, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/09/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.6/2015, registered at Police Station Shyang, Distt. Korba, for the offence punishable under Section 420 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that the applicant obtained Rs.10,500/- in the month of June-August, 2015 from villagers for preparation and issuance of Aadhar Card and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence, he has been falsely implicated in the case, he has not taken any amount and he is in jail since 18-8-2015. Charge-sheet is yet to be filed. He further submits that co-accused Prakash Yadav has been granted regular bail by this Court vide order dated 9-9-2015 passed in M.Cr.C.No.4751/2015.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, his pre-trial detention and the fact that co-accused Prakash Yadav has been enlarged on regular bail by this Court, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge