

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3181 of 2016

- Teras Ram Bareth S/o Panchram Bareth, Aged About 26 Years Occupation- Labour, R/o Village- Khokhra, Police Station and Tahsil- Janjgir, Distt. Janjgir-Champa (Chhattisgarh) --- **Petitioner**

Versus

- State of Chhattisgarh through- District- Magistrate, Janjgir, District- Janjgir-Champa (Chhattisgarh) --- **Respondent**

For the applicant	:	Mr. Basant Dewangan, Advocate
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.06.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 206/2011 registered at P.S. Baradwar, District Janjgir Champa (C.G) for the offence punishable under Sections 392/34 IPC.
2. As per the prosecution case, on 24.01.2011 the applicant alongwith other co-accused committed loot of Rs.2100/- from one Ram Gopal Rathore, for which a report was made. Subsequently the applicant fled away and the co-accused Shivnath was put to trial and he has been acquitted. Thereafter, the applicant has surrendered before the Court below where the trial is pending against him.
3. Learned counsel for the applicant submits that the applicant himself has surrendered before the court below and being labour he went to Jammu and Kashmir to earn his livelihood, therefore, he was out of station. He further submits that the charge sheet has been filed and no further evidence is

required and looking to the degree of offence, the applicant may be enlarged on bail.

4. Perused the case diary statements and other documents.
5. Perusal of the order sheet dated 18.7.2013 show that other co-accused Shivnath @ Trishul has been tried and acquitted by the JMFC Sakti.
6. Thus considering the facts and circumstances of the case and taking into degree of allegations levelled and the applicant himself has surrendered before the court on 16.05.2016 as also the fact that the charge sheet in this case has been filed and no further evidence is required, I am inclined to release the applicant on bail.
7. Accordingly, the bail 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 shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE