

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2368 of 2016

- Harishanker Sahu S/o Shri Ramkhilawan Sahu Aged About 21 Years, R/o Village Banjari Nagar, Rawabhatha, Khamtarai, Police Station Khamtarai, Civil And Rev. District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Suhela, District - Baloda Bazar - Bhatapara Chhattisgarh.

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For Respondent /State	:	Shri O.P.Sahu, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

19/05/2016

The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No. 38/2015, registered in Police Station Suhela, District : Baloda Bazar, Bhatapara for offence punishable under Section 394/34 IPC.

2. On 23.03.13, at about 8.00 p.m. the applicant has allegedly looted one motorcycle and mobile set from complainant Devi Prasad.

3. Learned counsel for the applicant would submit that the offence is triable by Judicial Magistrate First Class; the complainant has already been examined; the applicant is in jail since 04.05.15 therefore, for all these reasons the applicant deserves to be released on bail.

4. State counsel would oppose the application on the ground that one more case of similar nature is registered against the applicant therefore he appears to be a habitual offender.

5. Having considered the length of pre-trial detention and for the fact that the complainant has already been examined before the trial court therefore there is no possibility of the applicant influencing the witnesses, this Court is

inclined to release the applicant on bail. Accordingly, the bail application is allowed. It is directed that in the event of the applicant's executing a personal bond for a sum of Rs. 50,000/- with one local surety for the like amount to the satisfaction of the trial Court, he shall be released on bail. He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

Prashant Kumar Mishra
Vacation Judge

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