

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4852 of 2016

Ajay Sahu @ Teja Singh, S/o. Shri Ghanshyam Sahu, Aged About 18 Years, R/o. Village Navrangpur, Police Station- Lormi, District Mungeli, Chhattisgarh. Present R/o. Sarora, Police Station- Urla, Tahsil & District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- Urla, Tahsil & District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Vaibhav A. Goverdhan, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23.08.2016

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.41/2016 registered at Police Station- Urla, Tahsil & District Raipur (C.G.) for the offence punishable under Section 394 of Indian Penal Code.
2. As per the prosecution case, a report was made by Bal Jugeshwar Verma that on 30.01.2016 while he was coming back, at that time, four accused intercepted him and looted a mobile, his cycle and cash of Rs.500/-.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and no identification has been made from the applicant. He further submits that during the incident the accused were calling each other in name of Ajay & Banti, therefore,

the present applicant has been apprehended and, as such, he may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the documents and the statements, which shows that mobile was recovered, however, the same has not been identified that it belonged to the complainant. Considering the same, facts & circumstances, nature of allegation and the fact that the charge sheet has been filed, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall 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 trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge