

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4956 of 2016

- Raju Khan @ Faju Khan S/o Shri Shanu Khan Aged About 19 Years R/o Shivarinarayan (Janjgir-Champa) Fokatpara, Post Office & Police Station Shivarinarayan, District Janjgir Champa, Chhattisgarh. Present R/o Sarora, Near Bodhi Mandir, House of Panna, Post Office Raipur, Police Station Urla, Raipur, District Raipur, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through The Station House Officer, Police Station Urla, District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate
For the Respondent	:	Mrs. Shobha Kashyap, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.08.2016

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. 41 of 2016 registered at P.S. Urla, Distt. Raipur (C.G) for the offence punishable under Sections 394/34 of IPC.
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 lotted a mobile, cycle and cash of Rs.500/- from him.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and similarly placed co-accused Ajay Sahu @ Teja Singh against whom similar allegations were made has been granted bail by this court in M.Cr.C.No.4852 of 2016 on 23.08.2016, therefore, the present applicant may also be released on

bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that co-accused has been granted bail by this Court.
5. Perused the case diary and other documents.
6. Considering the fact that the applicant is said to be in jail since 31.01.2016 as also the fact that similarly placed co-accused Ajay Sahu has been enlarged on bail by this Court and the case of the present applicant is not different from that of other co-accused who has already been granted bail by this Court, the present is also a fit case where the applicant can be enlarged 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**