

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7742 of 2015

Lala @ Mohd. Arif, son of Mohd. Shamim, aged about 19 years, R/o Block Colony, Ward No.2, Gharghoda, Police Station & Tahsil – Gharghoda, District Raigarh (C.G) ... **Applicant**

Vs.

State of Chhattisgarh, through Police Station Gharghoda, District Raigarh (C.G). ... **Respondent**

For the applicant	:	Mr. Ashish Gupta, Advocate.
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.01.2016

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No.286 of 2015 registered at Police station Gharghoda, Distt. Raigarh (C.G) for the offences punishable under sections 341, 323, 394/34 IPC.
2. As per the prosecution case, on 06.09.2011 a complaint was made that the applicant along with other accused tried to snatch a bag from the complainant and also assaulted him by way of club.
3. Learned counsel for the applicant submits that in the FIR only one person was named whereas the charge sheet has been filed against three persons. He further submits that the applicant has not been identified and has been falsely implicated in this case.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Having regard to the nature of allegations against the applicant and also considering the fact that he has not been identified and has been roped in on the basis of memorandum of co-accused

and the charge sheet in this case has been filed and further looking to the detention period of the applicant as he is stated to be in jail since 10.09.2015, without any observations on merits of the case, I am inclined to release him on bail.

6. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He shall appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao