

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6076 of 2016

Omprakash Yadav, S/o Shri Horilal Yadav, Aged About 20 Years,
R/o Yadav Mohalla, S. E. C. L. Manikpur Colony Korba, Police
Chowki - Manikpur, Police Station Kotwali, Korba Tahsil - Korba,
Revenue & Civil District - Korba, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station Kartala, District
Korba Chhattisgarh

---- Respondent

For applicant - Shri Sandeep Dubey, Advocate.
For Respondent/State – Ms. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

4/10/2016

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.58/2016 registered in Police Station Kartala, District-Korba (C.G.) for offence punishable under sections 395, 397/34 of Indian Penal Code.
2. As per the prosecution, a report was made by one Ramlal Sahu on 30/08/2016 that on 28/08/2016 at about 12.30 am while he was going on his vehicle after loading cement to unload it near village Kotemar there was a brake down happened in the vehicle, at that time while they were in the vehicle six persons came and demanded money which was refused and the complainant was assaulted and Rs.2200/- was looted alongwith the mobile.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case because of some internal dispute between the transporters. He submits that the applicant has not been identified in this case and only recovery of Rs.500/- is made from the

present applicant, therefore no evidence is existing against the applicant and he may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary and the documents. Prima facie it appears that applicant was not forwarded for identification parade. Taking into recovery which is only cash of Rs.500/-, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE