

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 478 of 2017

Mahendra Singh Rajput, S/o. Ranveer Singh Rajput, Aged About 19 Years, R/o. Village- Premnagar, Ward No. 07, Gandai, Police Station- Gandai, District- Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- The Station House Officer, Police Station- Parpodi, District- Bemetara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/02/2017

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.15/2016 registered at Police Station- Parpodi, District Bemetara (C.G.) for the offence punishable under Sections 341, 392, 394/34 of Indian Penal Code.
2. As per the prosecution case, a report was made by Dr. Kumbhdas Verma that on 07.02.2016 at about 10:30 a.m., while he was coming from Balaghat to Boltara, on the way near Parpodi, 3 persons overtook his motorcycle whereby he fell down, thereafter, the accused assaulted him and looted Rs.2100/- alongwith a mobile from him and thereafter fled away.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, FIR was filed against some unknown persons, no motorcycle number was given and seizure of the mobile and motorcycle was made from the Police Station itself,

therefore, false allegations have been made. He further submits that the other co-accused have been enlarged on bail on 18.01.2017 in MCRC No.60 & 80 of 2017 and the case of the present applicant is similar, therefore, he may also be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of evidence available and the fact that the charge sheet has been filed and the similarly placed co-accused have been enlarged on bail, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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