

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1129 of 2017

- Anand Kumar Jangde S/o Jhunakram Jangde, Aged About 23 Years
Caste- Satnami, R/o- Kapu, Tahsil And Police Station Dharamjaigarh,
District- Raigarh, Chhattisgarh. --- **Applicant**

Versus

- State of Chhattisgarh through - Station House Officer of the Police
Station - Kapu, District Raigarh, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Abhishek Saraf, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09.03.2017

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. 85/2016 registered at Police Station Kapu, Distt. Raigarh (C.G) for the offence punishable under Section 394 IPC.
2. As per the prosecution case, on 20.10.2016 at about 10 o' clock while the complainant was going to his house, the applicant along-with other accused stopped him, assaulted and looted Rs.10,000/- from him whereby the offence is committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and the complainant has filed affidavit wherein it is stated that after consumption of liquor, the incident happened on trivial issues and the complainant has no objection if the applicant is enlarged on bail. It is further submitted that on the basis of such affidavit and submission made by the counsel, similarly placed

accused Gyan Ratre has been enlarged on anticipatory bail in M.Cr.C.A. No.1308/2016 on 03.03.2017 wherein it records that the complainant do not want to proceed against the accused persons.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that similarly placed co-accused has been enlarged on anticipatory bail by this Court on the basis of affidavit filed by the complainant and submission made by the counsel for the applicant therein.
5. Taking into consideration such facts and circumstances of the case especially the fact that the co-accused Gyan Ratre has been enlarged on anticipatory bail, I am inclined to allow this bail application on similar footing.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on 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 for his appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**