

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 4901 of 2017**

Kishan Baghel Gada S/o Rama Baghel Gada Aged About 30 Years
R/o Village Kailash Nagar, Dhamdha Naka, In Front Of Jamul
Hospital Police Station Mohan Nagar, District Durg, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The District Magistrate, Durg,
Chhattisgarh.

----Non-applicant

For Applicant	:	Mr. A.L. Singroul, Advocate
For State	:	Mr. Gary Mukhopadhyay, G.A.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14/12/2017**

1. This is an application filed under Section 439 Cr.P.C. for grant of bail to the applicant, who has been arrested in connection with Crime No. 179/2017 registered at Police Station Mohan Nagar, District Durg, Chhattisgarh for the offence punishable under Section 397 of Indian Penal Code.
2. The present applicant is in jail since 14.04.2017 in connection with the aforesaid Crime number.
3. The allegation against the present applicant as per the prosecution case is that the present applicant along with co-accused person is said to have looted the complainant Danendra Verma of his Auto Rickshaw on 12.04.2017.
4. The counsel for the applicant submits that now the complainant has been examined before the trial Court and he has not supported the case of the prosecution and has been declared hostile and that there

is no possibility of conviction, the present applicant may be released on bail.

5. On perusal of the record, does not dispute the fact that the complainant having got hostile.
6. Given the facts and circumstances of the case, particularly considering the period of custody and also taking note of the fact that the complainant has turned hostile, this Court is of the opinion that prima facie a fit case has been made out for grant of bail to the applicant. Accordingly, the present application for grant of bail is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

Sd/-
(P. Sam Koshy)
Judge

Ved