

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6801 of 2017**

Anand Das S/o Bhagwan Das, Aged About 19 Years R/o Purani Kothari, Police Station Urga, District Korba, Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh Through G.R.P. Bilaspur (Wrongly Mentioned As G R P Champa) District Bilaspur, Chhattisgarh

---- Respondent

For the Applicant : Shri Deepak Kumar Singh, Advocate.
For the Respondent/State : Shri Arvind Kumar Shukla, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.12.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 174 of 2017, registered at Police Station G.R.P., Bilaspur, District Bilaspur, Chhattisgarh for the offence punishable under Section 394 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. The FIR in this case does not reflect the name of the applicant. The name of the applicant was added later on in the developed statement under Section 161 of the Cr.P.C. which shows the innocence of the applicant. The applicant is in jail since 21.09.2017 and the trial of the case is likely to take some time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail

application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The facts of the case are that on the date of incident the main accused Ajay Das confronted complainant - Banti Singh saying that despite being warned to stop wending in the train he is not doing so and thereafter he abused the complainant, assaulted him and looted Rs.1,800/- cash and one mobile from him. The FIR was lodged against Ajay Das and others. Thereafter, the name of the applicant was reflected in the statement under Section 161 of the Cr.P.C.

6. Considering the facts and circumstances of the case and that the trial of the case is likely to take some time for its final disposal and also the applicant is a local resident, I am of the considered view that in this case the applicant deserves to be enlarged on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge