

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8365 of 2016

- Akash Kumar Sahu S/o Late Nandlal Sahu Aged About 19 Years
R/o Ward No. 04, Surya Nagar, Raipur, Police Station Gudhiyari,
Tahsil & District Raipur, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through: Station House Officer, Police Of
Police Station Lalbagh, Rajnandgaon, District- Rajnandgaon,
Chhattisgarh

---- **Respondent**

For Applicant : Mr. Pravesh Sharma, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03-01-2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 25-6-2016 in connection with Crime No. 97 of 2016, registered at Police Station Lalbagh, Rajnandgaon, District Rajnandgaon (CG) for the offence punishable under Section 394/34 of the IPC. Earlier first bail application was dismissed for want of prosecution on 25-10-2016.
2. As per prosecution case, a report was made by complainant Parmanand Rajak on 20-4-2016 that while he was returning from marriage reception on his motor-cycle, the applicant along with other four co-accused persons intercepted him and looted mobile, ATM card, Aadhar Card, Pan Card and cash Rs.250/-. Subsequently mobile and Aadhar card were seized from the

possession of the present applicant on his memorandum and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, other co-accused persons who are juvenile, have been enlarged on bail by the Juvenile Justice Board. He would further submit that charge-sheet has been filed in this case, the applicant is in jail since 25-6-2016 and no further investigation is required, therefore, he may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegations and degree of offence and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 25-6-2016, this court is inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and 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 trial Court for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

