

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 562 of 2017

- Ravindra Singh Rajput S/o Shri Dinesh Singh Rajput, Aged About 24 Years R/o Main Road Torwa, Near Deep Light Decoration, Bilaspur Police Station Torwa, District Bilaspur Chhattisgarh --- **Applicant**

Versus

- State of Chhattisgarh Through Police Station Simga, District Baloda Bazar Bhatapara Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Pawan Shrivastava, Advocate
For the Respondent	:	Mr. Avinash Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

06.02.2017

1. This is second 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.311/2016 registered at P.S. Simga, Distt. Baloda Bazar Bhatapara (C.G) for the offence punishable under Sections 392/34 of IPC.
2. As per the prosecution case, a report was made by one Raman Kanhaiya Tiwari on 31.10.2016 that he was sleeping in his truck near Darchuda, at that time, three persons came and demanded an amount of Rs.20/- for purchasing some pouch in betel shop. Thereafter, they came from behind and assaulted the complainant and looted cash of Rs.7900/- and one mobile. Subsequently the complainant tried to follow them who were running away in motorcycle No.C.G.10-Y/4435, however, they managed to flee away.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and even the complainant has failed to identify the present applicant. He

would also submit that this is second bail application and the first bail application was dismissed on merits on 20.12.2016 and at that time the investigation was going on. He further submits that now the charge sheet has been filed and the investigation is complete, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Considering the fact that the applicant has not been identified which is not disputed by the State as also the fact that the charge sheet has been filed and applicant is in jail since 02.11.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his 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. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**