

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1051 of 2018

- Shakil Ahmad S/o Jahur Ahmad, Aged About 32 Years, R/o Village and Thana Naandghat, Tahsil Navagarh, District Bemetara Chhattisgarh, District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Officer-in-Charge, Police Station Pathriya, Chowki Sargaon, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sanjeev Kumar Sahu, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-04-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 22-01-2018 in connection with Crime No.298/2016 registered at P.S. Pathriya, Chowki Sargaon, District Mungeli, Chhattisgarh for the offence under Section 394, 411, 414/34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. He is in jail since 22-01-2018. The applicant has been implicated in this case only for the reason that his name was mentioned by one of the co-accused in his memorandum, apart from that there is no other evidence. Charge sheet has been filed after completion of the investigation. Hence, it is prayed that the applicant may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. On intervening night of 18-19 September 2016 truck No.CG 04 JC 4058 in possession of complainant Anish Kumar Chouhan was looted by three

unknown persons. The load of aluminum ingots and cash amount of the complainant etc. were looted by those miscreants. After lodging of the FIR, name of this applicant has appeared in the investigation in memorandum statement of one of the co-accused persons, because of which, he has been arrested and detained and supplementary charge sheet has been filed against him.

6. Considered on the entire material present in the case diary. Looking to the evidence that is proposed against this applicant for his prosecution in this case, I am of this view that this applicant should be released on bail during pendency of the trial against him.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge