

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 221 of 2018

- Ajay Das Manikpuri S/o Late Deepak Das Manikpuri, Aged About 25 Years, R/o Ward No.2, Naila Bhathapara, Police Station Naila, District Janjgir-Champa, Chhattisgarh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through GRP Champa, District Janjgir- Champa, Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicant – Shri Dheerendra Pandey, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-02-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application filed by the applicant before this Court for grant of regular bail. The applicant has been arrested on 21-09-2017 in connection with Crime No.174/2017 registered at Police Station GRP Champa, District Janjgir-Champa, Chhattisgarh for the offence under Section 394, 34 of the IPC.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 21-09-2017. Three co-accused persons have been granted bail in this case by this Court and coordinate Bench of this Court. The applicant has similar case. Hence, it is prayed that the applicant may be granted regular bail.
3. Learned counsel for the State/non-applicant opposes the application and submission made. It is submitted that the applicant was proceeded against under the provision of Cr.P.C. thrice. Hence, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.
5. On the date of incident, the applicant confronted complainant Banti Singh for the reason that he was vending in the train although he was warned not to do so by the applicant, because of which, in altercation the applicant

assaulted and looted Rs.1800/- cash and one mobile phone from him along with other co-accused persons.

6. Considered on the submissions made and contents of the case diary.

7. Taking into consideration the facts and circumstances of this case and the fact that co-accused persons in this case have been granted bail, I am of this view that the applicant also deserves to be released on bail in the present matter.

8. Consequently, the application (MCRC No.221/2018) filed under Section 439 of the Cr.P.C. by the applicant 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge