

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2264 of 2018

Ajuba Sishodiya S/o Late Shri Ramayan Lal Sishodiya Aged About
22 Years R/o Village Ghatiya Khurd, Grodgiri Durg, Police Station
Nadini Nagar, Civil And Revenue District Durg Chhattisgarh,
District : Durg, Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Nadini Nagar, District Durg Chhattisgarh, District : Durg,
Chhattisgarh

---- Respondent

For Applicant : Ms. Jyoti Rathore , Advocate.

For State : Mr. Satish Gupta, GA

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

04/05/2018

1. The applicant has been arrested in connection with Crime No. 296/2017 registered at Police Station – Nadini Nagar, District-Durg (CG) for alleged commission of offence under Section 394 of IPC.
2. Case of the prosecution is that the applicant and co-accused looted mobile and cash.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated. He further submits that investigation is complete and charge sheet has been filed. Criminal cases are pending against the applicant. The applicant has not been identified by the complainant and seizure of amount of Rs. 1000/- is not identifiable as cash belonging to the complainant.

4. On the other hand, learned counsel for the State opposes bail application and submits that against the applicant five more criminal cases are pending which shows that the applicant is habitual offender and if he is granted bail, he is likely to misuse liberty.

5. Considering that in the present case applicant has not been identified by the complainant during test identification parade and recovery Rs. 1000/-, the applicant may be granted bail. Accordingly, the bail application is allowed.

6. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- along with one local surety of the like amount to the satisfaction of the concerned Trial Court with following further conditions:

(i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

(iii) If it is found that applicant is involved in any criminal case, the bail granted by this Court is liable to be cancelled.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)

Judge