

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.2390 of 2018**

Kailash Yadav, son of Shri Prabhakar Yadav, aged 45 years (As per order dated 14.3.2018), R/o Village Jhagarpur, P.S. and Tahsil Bageecha, District Jashpur, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Police Station Bageecha, District Jashpur, Chhattisgarh

---- Respondent

For Applicant	:	Shri J.K. Shastri, Advocate
For Respondent	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****11.5.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the Applicant who has been arrested in connection with Crime No.36 of 2018 registered at Police Station Bageecha, District Jashpur for offence punishable under Section 392 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that on 7.3.2018, Complainant Prabhakar lodged a report in Police Station Bageecha alleging that on 6.3.2018 at about 8:00 p.m., when he was waiting for a bus, the Applicant came there and looted cash of Rs.13,000/- from him. On the basis of said report, the aforesaid offence has been registered against the Applicant and during investigation, on the basis of his memorandum statement, cash of Rs.1,000/- has been seized from him.
3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent. He has falsely been implicated in the case

due to a previous enmity. He is in custody since 8.3.2018. Trial will take a long time. Therefore, he may be released on bail.

4. Learned Counsel appearing for the Respondent/State opposes the bail application.
5. I have heard Learned Counsel appearing for the parties and perused the entire material available with due care.
6. Considering the facts and circumstances of the case and that the Applicant is in custody since 8.3.2018, trial is likely to take time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on furnishing a personal bond in the sum of Rs.10,000/- with one local solvent surety in the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE