

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2454 of 2018**

Budhram Yadav, S/o. Shri Balla Ram Yadav, Aged About 32 Years, R/o. Ward No. 7, Behind CHC, Abhanpur, P. S. Abhanpur, Distt. Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through P. S. Abhanpur, Distt. Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. J.K. Gupta, Advocate
For State/respondent	: Mrs. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**10/05/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.15/2018, registered at Police Station – Abhanpur, District – Raipur (C.G.), for the offence punishable under Section 394, 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this. Applicant is in jail since 21.01.2018. No case is made out against the applicant on the basis of the material present in the case diary. The case is triable by Judicial Magistrate First Class. Hence it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, on the date of incident, the complainant Janak Sahu had some dispute with co-accused Sunny Dhruwa because of which he assaulted the complainant, at the same time, this applicant along with co-accused looted the belongings of the complainant namely mobile phone and some cash.
6. Considered on the submissions made, the contents of the case diary and all the material present in the case diary. Presently the case is before the trial Court and it appears that this applicant does not have any criminal antecedents, the trial is likely to take some time for its completion, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that 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 trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge