

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3941 of 2018

Ajuba Sishodiya S/o Late Shri Ramayan Lal Sishodiya, aged about 22 years,
R/o Village- Ghatiya Khurd, Grodgiri, Durg, Police Station- Nandini Nagar, Civil
and Revenue District- Durg (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through- the Station House Officer, Police Station-
Nandini Nagar, District- Durg (C.G.).

---- Respondent

For Applicant	:	Ms. Jyoti Rathore, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/06/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 295/2017 registered at Police Station- Nandini Nagar, Distt. Durg (C.G.) for the offence punishable under Section 394/34 of IPC.
2. As per prosecution story on 26/10/2017 at about 11:45 pm, it is alleged that the present applicant along with other co-accused persons entered into the court-yard of the complainant- Balbir Singh and assaulted him. They also looted Rs. 7100 cash and two mobile handsets from him. On the basis of above, crime was registered and the applicant was arrested on 27/10/2017.
3. Learned counsel appearing on behalf of the applicant submits that the

applicant is innocent and has been falsely implicated in the present case. She further submits that only Rs. 700 has been seized from the applicant. He is in custody since 27/10/2017, offence is triable by the JMFC, charge-sheet has already been filed and the trial will likely to take some time to conclude, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicant is in jail since 27/10/2017, charge-sheet has already been filed, offence is triable by the JMFC and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-

Judge
Arvind Singh Chandel