

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4239 of 2018**

Goverdhan Chauhan, S/o. Shri Natthuram Chauhan, Aged About 25 Years,
R/o. Village Pahad Ludeg, Lailunga, P.S. Lailunga, District Raigarh,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through District Magistrate Raigarh, Police Station
Bhupdeopur, District Raigarh, Chhattisgarh.

----- Respondent

For Applicant : Mr. Bhupendra Singh, Advocate
For Respondent : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**19/07/2018**

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.215/2017, registered at Police Station- Bhupdeopur, District – Raigarh (C.G.) for the offence punishable under Section 394, 120-B/34 of the Indian Penal Code.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. Applicant is in jail since 21.02.2018. No case is made out against the applicant on the basis of the material present on record to involve the applicant in the crime in question. Hence, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant is the party to conspiracy to commit the offence of robbery with the help of co-accused persons as he has

guided the main accused persons through mobile phone. Hence, he is not entitled for grant of bail.

4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. According the prosecution case, complainant – Ramsharan Koshle was robbed of Rs.66,000/- in cash and one Samsung mobile by co-accused persons. The name of this applicant has appeared in the memorandum statement of the co-accused persons that he had informed about the location of the complainant. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on all the material present in the case diary against this applicant, which is proposed for prosecution of the applicant and further considering this fact that this applicant does not have any criminal antecedents, 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 Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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