

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4907 of 2018**

- Upendra Kashyap @ Khuti S/o Subash Kashyap, Aged About 22 Years
R/o Atal Awas, Near Avantika Colony P.S. Bodhgath, District Bastar
Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Bodhgath, District Bastar
Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicant	: Mr. Vikash A. Shrivastava, Advocate
For State/respondent	: Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01/08/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.18/2018, registered at Police-Station-Bodhgath, District-Bastar(C.G.) for the offence punishable under Sections 392/34 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 case. No case is made out against him. Only cash of Rs.1100/- has been recovered and seized from the possession of this applicant which does not add with the

commission of offence as alleged in this case, hence, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. It is alleged that two unknown persons looted the complainant Shridhar Rugi of his belongings one mobile phone, cash Rs.3700/- and ATM Cards. The applicant and the co-accused were identified by one of the witnesses on the spot. The only recovery from this applicant is cash which is not an identifiable article. Hence, this case.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. After considering on all the material present in the case diary and that the applicant has no previous antecedents, for this reason, I am of this view that this is a fit case where the applicant should be released on regular bail.
7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge