

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5735 of 2018

Deepak Sahu, aged about 21 years S/o Bhikam Sahu R/o Village Torla, Police Station- Gobra, Navapara, District- Raipur (C.G.). Mob. 9111735387

--- Applicant

Versus

State of Chhattisgarh, Through the Police Station Gobra, Navapara, District- Raipur (C.G.).

---- Respondent

For Applicant	:	Mrs. Madhunisha Singh, Advocate
For Respondent	:	Mr. N.K. Sharma, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

05/09/2018

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. 125/2018 registered at Police Station- Gobra, Navapara, Distt. Raipur (C.G.) for the offence punishable under Section 392/34 of the IPC.
2. As per prosecution story, on 28/05/2018 complainant- Avinash Sen lodged a FIR stating therein that on 27/05/2018 at about 8:30 pm, he along with his friend Nikhil Chandrakar was going to his village. On the way, he went to attend the call of nature and when he was returning to wear his lower, two unknown persons came there and snatched his lower, in which three mobile phones, Rs. 1030/- cash, ATM card, Driving License and Aadar Card was kept. Offence was registered against the unknown person. During course of investigation, some looted property has been seized from the possession of the

present applicant and some from other co-accused person. The applicant was arrested on 29/05/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated. She further submits that the FIR has been lodged against unknown person. No test identification parade was conducted by the police. The applicant has no known criminal antecedent. He is in custody since 29/05/2018, charge-sheet has been filed and the trial will likely to take some time, therefore, he 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 entire facts and circumstances of the case, particularly considering that the applicant is in custody since 29/05/2018, charge-sheet has already been filed, trial will likely to take some time and he has no criminal antecedent, 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. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge