

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 1811 of 2017

- Sugreev Singh S/o Laxman Singh, Aged About 30 Years R/o Abhaypura, Police Station Sadabad, District Hathras Uttar Pradesh, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Pandri, Raipur Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Awadh Tripathi, Advocate.

For the Respondent/State : Shri U.K.S. Chandel PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16.03.2018

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. 265/2016, registered at Police Station – Pandri, District – Raipur, (C.G), for the offences under Section 397, 120 -B, 34 of the Indian Penal Code, 1860 and 25, 27 of the Arms Act,1959.
2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 11.11.2016. There is no evidence against this applicant for prosecution in the offence charged against him. He has been roped in this case only on the memorandum statement given by the co-accused person. No seizure has been made from him and neither any TIP has been conducted. The applicant is ready to abide by all the conditions which may be imposed

while granting bail to him, hence, it is prayed that the applicant may be released on bail.

3. Learned counsel for the State opposes the bail application and submits that this applicant was engaged in the crime in question as a conspirator and he has admitted in his memorandum statement that he received the share amount in the loot committed, hence, no case is made out for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. On the date of incident the complainant was looted by the two persons after a fire was shot at him through *desi Katta*. The amount of Rs.10 lakh and a scooter was looted. After lodging of FIR the case was registered and during the investigation on the basis of memorandum statement given by co-accused person, this applicant has been arrested.
6. Considering the submissions made by learned counsel, contents of the case diary and looking to the facts of this case, I am of the view that it is a fit case where the applicant should be released on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. 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.

Sd /-

(Rajendra Chandra Singh Samant)
Judge