

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6147 of 2018

Suryaprakash, Aged About 17 Years (Minor), Through Legal Natural Guardian Father Savantram, S/o Chaitu Aged About 40 Years, R/o Village Kusmuli, Police Station Takhatpur, District : Bilaspur, Chhattisgarh

--- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station, Takhatpur, Civil and Revenue, District- Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. Mirza Hafeez Baig, Advocate
For Respondent	:	Mr. Bhaskar Payashi, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

26/09/2018

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. 243/2018 registered at Police Station- Takhatpur (C.G.) for the offence punishable under Sections 341, 394 and 506 of the IPC.
2. As per prosecution story, on 30/06/2018 complainant- Ashok Yadav lodged a FIR alleging that at about 5:15 pm on the same day, when he was returning to his village, on the way the present applicant along with one co-accused stopped him and beaten him. It was further alleged that they also looted Rs. 20,000/- from his pocket. On the basis of said report, offence has been registered by the Police and during course of investigation from the memorandum statement of present applicant, Rs. 8,000/- has been seized from his possession and he has been taken into custody on 02/07/2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to previous enmity. He further submits that the applicant is in custody since 02/07/2018, the other co-accused Rakesh Kumar has been already granted benefit of bail vide order dated 29.08.2018 in **MCRC No. 5620/2018** by this Court, charge-sheet has been filed and the trial will likely to take some time, 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 entire facts and circumstances of the case and the evidence collected by the prosecution. Further, considering that the applicant is in custody since 02/07/2018 and charge-sheet has been filed, 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. 20,000/- 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/-
(Arvind Singh Chandel)
Judge