

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6959 of 2018**

Kiran Kumar Nag @ Baba S/o Subash Kashyap Aged About 28 Years R/o-
Atal Awas, Near Avantika Colony, P.S. Bodhghat, District- Bastar,
Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For the Applicant	:	Shri Vikash Shrivastava, Advocate.
For the Respondent/State	:	Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****30.10.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.18 of 2018, registered at Police Station – Bodhghat, District – Bastar, Chhattisgarh for the offence punishable under Section 392/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 17.4.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. Similarly placed co-accused – Upendra Kashyap

@ Khuti has been granted bail by this Court in M.Cr.C. No.4907 of 2018, vide order dated 1.8.2018. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the charge-sheet, two unknown persons looted complainant – Sridhar Rugi of his possession, one mobile phone, cash of Rs.3,700/- and some ATM Cards. During investigation, some seizure has been made from the applicant. The co-accused person and the applicant have been identified by the complainant. Hence, this case.

6. Considering the fact that the case is now before the trial Court, the applicant has no criminal antecedents and taking into consideration the fact that similarly placed co-accused – Upendra Kashyap @ Khuti has been granted regular bail by this Court, I feel inclined to grant regular bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)

Judge