

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8028 of 2017

- Pankaj Singh @Sanjay Yadav, S/o Ramsiya Yadav, aged about 28 years, R/o Village Jhora, P. S. Bhaguapura, District: Datia (M.P.) P.A. vilage Parla, P.S. Bango, Tah. Podi-Uproda, district-Korba (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through: P.S. Bango, Tahsil Podi Uproada, District Korba Chhattisgarh.

---- Respondent

For Applicant	:Ms. Sunita Panjabi, Advocate.
For Respondent/State	:Mr. Vijay Bhadur Singh, Panel Lawyer.

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Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

05/03/2018

1. Heard.
2. 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. 48/2017 registered at Police Station- Bangoa, District – Korba, (Chhattisgarh) for the offence punishable under Sections 294, 506, 147, 330 & 386 of the Indian Penal Code.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case and the statements of the

witnesses show the name of applicant as Sanjay Yadav but the applicant is known as Pankaj Yadav. He has no nick-name as Sanjay Yadav, this shows his false implication in the crime in question. Therefore, no case is made out against the applicant on the basis of the material present in the charge-sheet. Applicant is in jail since 31.02.2017. As the trial may likely to take some time hence, it is prayed that applicant be enlarged on regular bail.

4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. A complaint was filed by one Rakesh Diwedi at police station-Bango stating that he came to know from the social media that some persons namely -Pankaj Singh, the present applicant and eight others co-accused persons had levelled allegations against one Sayamji Singh that he is involved in theft of diesel and then assaulted him after disrobing him, they also made a demand of extortion money of Rs. 20,000/- from Shyamji Singh, stating that if the demand is not fulfilled, then he will not be released from the custody of them and shall also be burnt to death. On the basis of which, complaint & FIR has been registered against the applicant.
7. Considered on the contents of the case diary, and the fact that there is no criminal antecedent of the applicant and that he is a local resident of District Korba. Subsequent to filing of charge-sheet, it appears that no useful purpose would be served if the applicant remains in jail till the conclusion of the trial, hence, I am of this opinion that applicant should be benefited with grant of regular bail.
8. 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 Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Amita