

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8292 of 2018**

Amit Soni S/o Kishor Soni Aged About 26 Years R/o Atal Aawas, Q. No. 03, Kharmora, Korba District And Tahsil Korba Chhattisgarh, District : Korba, Chhattisgarh.

---- Applicant**Versus**

The State Of Chhattisgarh Through The District Magistrate Korba Police Station Balko, District And Tahsil Korba Chhattisgarh, District : Korba, Chhattisgarh.

---- Respondent

For the Applicant : Shri Samir Singh, Advocate.
For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****19.11.2018**

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.165 of 2018, registered at Police Station – Balko, District Korba, Chhattisgarh for the offence punishable under Section 394/ 34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 18.3.2018 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 person has been granted bail by this Court. 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. The prosecution case is that the applicant alongwith co-accused looted one mobile phone of complainant – Vivek Singh Paikra. Hence, this case.
6. Considering the material present in the case-diary and now the case is before the trial 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