

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8340 of 2018

- Pooja Bai W/o Vijendra Kumar Aged About 30 Years Caste Warkade (Baiga), R/o Ward No. 05, Mandai Tekri, Lanjhi Police Station Lanjhi, District Balaghat M. P., District : Balaghat, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Incharge Of Police Station Rengakhar, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicant : Mr. Sudhir Verma, Advocate.
For Non-applicant : Mr. Ashok Swarnkar, P.L.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 34/2018 registered at Police Station – Rengakhar, District Kabirdham (C.G.) for the offence punishable under Section 328, 452, 323, 380, 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 25.07.2018 at about 4 pm complainant Nashima Bi was present in her house at village Usharwahi. One unknown male with one unknown female reached to the house. That unknown female caught hold of her hand and that unknown male puffed some poisonous ash on her face. She became unconscious. Those persons stolen two pairs of silver anklets, one golden leaf, one Adhaar Card and Rs. 3000/- cash. Complainant identified applicant in TIP. On the memorandum of applicant one Adhaar Card, one note of denomination 500 were seized.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE