

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.8953 of 2018**

- Puniram Yadav S/o Bharat Lal Yadav Aged About 29 Years R/o- B.D. Mahant Up Nagar, Ward No. 6 Janjgir, Police Station Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Naila, P.S. Janjgir, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	: Shri Sumit Singh, Advocate
For respondent/State	: Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****26.11.2018**

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who have been arrested on 31.8.2018 in connection with Crime No. 329/2018 registered at Outpost Naila, Police Station- Janjgir, Distt. Janjgir-Champa (C.G.), for the offence punishable under Sections 148, 341, 294, 323, 506-II, 323 read with Section 149, 427 (two times) & 395 of the Indian Penal Code.

2. As per the case of the prosecution, the complainant has been subjected to assault by a number of persons and during course of the assault, one golden chain of the complainant was robbed.

3. Learned counsel for the applicant submits that the subject matter of the offence i.e. golden chain is not seized from

possession of the applicant and he is innocent, therefore, he may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the fact that the subject matter of the offence is not seized from possession of the present applicant, without further commenting on merits of the case, I am inclined to release the applicant on bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE