

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9753 of 2018

- Ravi Yadav S/o Late Shri Achche Yadav Aged About 22 Years
R/o Durga Nagar, Beergaon, P. S. Urla, Tahsil And (Civil And
Revenue) District Raipur Chhattisgarh,

---- Applicant

In Jail

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Purani Basti, District Raipur Chhattisgarh

---- Respondent

For Applicant	:	Shri Yogesh Pandey, Advocate.
For Respondent	:	Shri Ravindra Agrawal, GA.

Hon'ble Shri Gautam Chourdiya, J

Order On Board

19/12/2018

The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 6.8.2018 in connection with Crime No.166/2018 registered in Police Station-Purani Basti, Distt. Raipur (CG) for the offence punishable under Sections 395 & 397 of IPC.

Allegation against the applicant is that he along with other co-accused persons committed marpeet with complainant Dinesh Kumar Nishad, caused him grievous injuries and also looted Rs.3700/- cash from him and his mobile phone.

Learned counsel for the applicant submits that the applicant has been falsely implicated in this crime, name of the applicant is not there in the FIR and the applicant has been made accused only on the basis of memorandum of co-accused. The applicant is in jail since 6.8.2018

and trial is likely to take some time for conclusion, therefore, the applicant may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, in particular the nature of evidence collected so far against the applicant, without commenting anything on merits of the case, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the concerned trial Court, he shall be released on bail. He is directed to appear before the trial Court on each and every date given to him by the said Court, till disposal of the trial.

It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/
(Gautam Chourdiya)
V. JUDGE