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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 92 of 2019

- Tikeshwar @ Bhukalu Sidar S/o Nanhiram Sidar, R/o Village Godi, P. S. And Tahsil Tamnar, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Tamnar District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Manoj Kumar Jaiswal, Advocate.
For Non-applicant : Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

30.01.2019

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. 123/2018 registered at Police Station – Tamnar District Raigarh (C.G.) for the offence punishable under Sections 341, 327, 34 of the Indian Penal Code.

3. Case of the prosecution, in brief is that on 25/5/2018 at about 12:30 pm at village Kodaidipa, applicant and coaccused Shatruhan Sinha, Recha Chauhan wrongly restrained complainant Ranjeet Rathiya, demanded money for drinking liquor, beat him with hands and fists. Applicant was absconding for 6 months.

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

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