

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 279 of 2019

- Sagar Wahane S/o Shri Yashwant Wahane Aged About 23 Years R/o Chikhali, Ward No. 06, Dhaba Road, Police Station Kotwali, Rajnandgaon, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotwali ,district Rajnandgaon Chhattisgarh (Wrongly Mentioned In Impugned Order Public Prosecutor), District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Ishan Verma, Advocate.
For Non-applicant	: Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.02.2019

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. 312/2018 registered at Police Station – Kotwali, district Rajnandgaon (C.G.) for the offence punishable under Sections 394, 201 and 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 12.6.2018 about 7 am near Sidhpeeth Hanuman Mandir at Rajnandgaon three unknown persons stopped the truck bearing registration No.CG-07-NA-7277 being driven by complainant Mishri Lal Gond. Those persons beat complainant by hands, fists, plastic pipe and looted five thousand rupees, one mobile, one ATM card from pocket of his full pant. On test identification parade complainant identified the applicant.
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 two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, 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