

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 756 of 2019**

Roshan Strally S/o C. S. Strally Aged About 19 Years R/o Plot No. 14,
Street No. 3, Kripal Nagar, Kohka, Bhilai, District Durg Chhattisgarh,
District : Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Basantpur, District Rajnandgaon Chhattisgarh, District :
Rajnandgaon, Chhattisgarh.

--- Respondent

For the Applicant	:	Shri Avinash Chand Sahu, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**05/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.446/2018 registered at Police Station Basantpur, District Rajnandgaon (C.G.) for the offence punishable under Section 392, 34 of IPC.
3. Case of the prosecution, in brief is that on 14/10/2018 about 12.25 p.m. near the Raipur Naka, Rajnandgaon, some unknown person reached near to the complainant Jitendra Kumar, he had cut his cash pouch containing Rs.72,918/- and ran away, complainant followed him, that person had sat on the motorcycle which was being started by another person. Those two persons ran away by the motorcycle. During the Test Identification Parade complainant identified applicant and co-accused Vishal Singh.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that five other criminal cases under the IPC have been registered against the applicant.

6. As per the certified copy of the order dated 06/02/2019 passed by the Session Judge, Rajnandgaon, which is part of the bail application, complainant was present in the Court and he had stated that entire robbed amount Rs.72,918/- has been returned by father of the applicant to complainant. Co-accused Vishal Singh has been released on bail by Session Judge, Rajnandgaon.
7. Though, five other criminal cases under IPC have been registered against the applicant, but looking to the above mentioned facts and circumstances of the case, it is ordered 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 Court with the condition that he shall 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde