

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1172 of 2019**

Baleshwar S/o Ramkaya Aged About 19 Years R/o Village- Chungadhi,  
Khokhapara, Police Station- Bhatgaon, Tahsil - Bhaiyathan, District-  
Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-  
Bhatgaon, District- Surajpur, Chhattisgarh., District : Surajpur,  
Chhattisgarh.

---- Respondent

|                   |   |                                |
|-------------------|---|--------------------------------|
| For the Applicant | : | Shri Anil Gulati, Advocate     |
| For the State     | : | Shri Wasim Miyan, Panel Lawyer |

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**Hon'ble Shri Justice Sharad Kumar Gupta****Order On Board****27/02/2019**

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.11/2019 registered at Police Station Bhatgaon, District Surajpur (C.G.) for the offence punishable under Section 392 read with 34 of IPC.
3. Case of the prosecution, in brief is that on 15/01/2019 at about 4.30 p.m. at village Badkapara applicant and co-accused Manai @ Sonu Rajwade reached near to complainant Shiv Prasad Rajwade. Complainant had a bag in his hand containing Rs.20,000/-. Co-accused Manai @ Sonu Rajwade looted Rs. 20,000/- from the complainant. Applicant had kept the motorcycle start. Applicant and co-accused ran away from the spot by the said motorcycle.
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 no criminal antecedents against the applicant.
6. Looking to the 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 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.
7. Certified copy as per rules.

Sd/-  
(Sharad Kumar Gupta)  
Judge