

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1375/2019**

Deepak Vaishnav, son of Santosh Vaishnav, aged about 19 years, resident of Paragaon (Kutipara), Nawapara (Rajim) Distt. Raipur (CG) **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police Station Piparchhedi, District Gariyaband (CG) **Non-applicant**

For applicant Ms. Nirupma Bajpai, Adv.
For non-applicant/State Mr. Vikram Dixit, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27-2-2019**

1. Heard on I.A. No. 1 for grant of interim bail to the applicant on the ground that the examination of the applicant of Class 12th are starting from 2-3-2019.
2. Counsel for the applicant submits that she does not press I.A. No. 1.
3. Accordingly, I.A. No. 1 is rejected as not pressed without entering into its merit.
4. As examinations of the applicant of Class 12 are scheduled to be held from 2-3-2019 to 29-3-2019, the MCRC is heard finally.
5. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
6. The applicant has been arrested in connection with Crime No. 9/2018 registered in police station Piparchhedi, Distt. Gariyaband (CG) for offence punishable under Section 395 of the IPC.
7. Prosecution story in brief is that on 12-11-2018, at about 9 am complainants Sadaram and Meghnath Sahu were returning back after leaving their children at Jawahar Navoday Vidyalaya, Mana Raipur. Near Berula Pull, applicant and other 7 unknown persons reached there by motorcycle, beat complainants by hands and fists, threatened to kill them and looted Rs. 550/-, one Samsung mobile, Voter ID card from complainant Sadaram and also looted Rs. 700/-, Voter ID card from complainant Meghnath Sahu. During test identification parade, complainants identified the applicant.
8. Counsel for the applicant argued that the applicant is innocent and

has been falsely implicated hence he be released on bail.

9. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
10. Looking to the above facts and circumstances of the case, as the trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in similar type of offence in future, he be released on bail.
11. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge