

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1817 of 2019**

- Dadu @ Sunil Ahirwar S/o Ramesh Ahirwar Aged About 21 Years R/o Mannu Chowk Tikrapara, Police Station City Kotwali, Tahsil And District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station Hosue Officer, Police Station Tarbahar, District Bilaspur Chhattisgarh

----Non Applicant

For the Applicant : Ms. Meenu Banerjee, Advocate

For Non Applicant : Shri Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****03.04.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants 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.372/2018 registered at Police Station- Tarbahar, District- Bilaspur (C.G.) for the offence punishable under Section 392 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 14.01.2018 at about 22:30 hours near the Sai temple railway station Bilaspur applicant stopped complainants Surendra Kumar, Vikash Amresh and Prajapati who were going their village. Applicant beat complainant Surendra Kumar by hand. He snatched one mobile of Soni Xperia company, one purse containing I-card of State Bank ATM, M.S.T., Rs.1800/- cash from the pocket of complainant Surendra Kumar. He also snatched one purse from the pocket of complainant Vikash Amresh containing green card, M.S.T., ATM, Rs.500/- cash and one mobile of Nokia Company.
4. Learned counsel for the applicant submits that 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, submits that 2 other criminal cases have been under IPC have been registered 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that, he shall not commit any offence 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

Parul