

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1997 of 2019

- Santosh Kunjam S/o Motilal Kunjam Aged About 20 Years R/o Atal Awas, Pendri, Rajnandgaon, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Lalbag, Civil And Revenue District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant : Mr. C.K. Sahu, Advocate.
For Non-applicant : Mr. V. Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

24.06.2019

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.104/2018 registered at Police Station – Lalbag District - Rajnandgaon (C.G.) for the offence punishable under Sections 392, 394, 411, 403, 120-B/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 12.03.2018 between 11.05 hours to 21:10 hours in front of Sindhu Bhawan, G.E. Road Rajnandgaon three persons who had covered their faces reached near the complainant Anand Tejnani by motorcycle. One person snatched a bag from the said complainant containing Rs. 6,50,000/-, thereafter all the three persons fled away from the spot. On the memorandum of the applicant Rs. 1,50,000/- cash, one motorcycle and two mobiles have been seized from him.
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. In the case in hand, test identification parade has not been conducted.
7. Looking to these facts and circumstances of the case, looking to the material available on record against the applicant, 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 Trial Court with the condition that 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE