

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1933 of 2019

- Rajesh Bhoi S/o Heera Bhoi Aged About 25 Years R/o Servant Quarter, 32 Mangla Bhilai, Distict- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Bhilai Nagar, Civil And Revenue Distict- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Sanjay Kumar Agrawal, Advocate.
For Non-applicant : Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.05.2019

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. 11/2019 registered at Police Station – Bhilai Nagar District – Durg (C.G.) for the offence punishable under Section 394 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 07.01.2019 at about 19:00 hrs on the bank of canal, 32 Bungalow, Bhilai applicant, coaccused Golu and two other accused beat complainant Karan Chouhan, one coaccused pointed some sharp object in his neck and looted one silver chain from him. During the test identification parade complainant identified applicant.
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, and submitted that one similar type of criminal case has 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 the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime 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

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