

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2707 of 2019**

- Sumit @ Bandar Sisodiya S/o Radheshyam Sisodiya Aged About 22 Years R/o Mirganj, Allahabad (Uttar Pradesh) Present, R/o Bholgarh, P.S. And District- Anuppur, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Pendra, District- Bilaspur, Chhattisgarh

----Non Applicant

For the Applicant : Shri Yogendra Chaturvedi, Advocate

For Non Applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****17.05.2019**

1. This is second bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court. No other bail application is pending before any other Court.
2. Earlier, the first bail application of the applicant was dismissed for want of prosecution on 05.04.2019 by this Court in MCRC No.1871 of 2019.
3. Perused the case diary provided by the learned counsel for the State in connection with Crime No.288/2018 registered at Police Station- Pendra, District- Bilaspur (C.G.) for the offence punishable under Sections 379, 34 of the Indian Penal Code.
4. Prosecution story in brief is that on 18.08.2018 at about 13:00-14:00 hours in front of Ansali Tent suppliers, Bilaspur, complainant Yugal Potdar had stopped his motorcycle and went to Ansali Tent House. A bag containing Rs.3,00,000/- was lying on the handle of the motorcycle. Some unknown persons stole the bag containing aforesaid amount. On the memorandum of applicant Rs.1500/- was seized from his possession.
5. 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.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that two other similar type of cases have been registered against the applicant.
7. Looking to the aforesaid mentioned 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 one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned trial Court, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul