

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2999 of 2019**

- Preetam Singh Mandavi Late Guharam Mandavi, Aged About 26 Years R/o Bramha Chowk, Village- Rasmada, Thana- Pulgaon, Civil And Revenue District- Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station- Chowki- Anjora, P. S.- Pulgaon, District- Durg, Chhattisgarh

---- Non Applicant

For the Applicant : Shri Vivek Sharma, Advocate

For Non Applicant : Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15.05.2019**

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.42/2019 registered at Police Station- Chowki- Anjora, P.S.- Pulgaon, District-Durg(C.G.) for the offence punishable under Section 394 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 24.01.2019 at about 22:50 hours, near the Siloda Basti turned at village Siloda, some unknown 3/4 persons abused complainants Satish Soni, Jitendra Sen and Sagar Kahar who were going up by activa, they stopped the said complainants, beat them and looted Rs.3,500/-, one mobile of L.G. company bearing SIM No.9713992913 and one jacket from the complainants. In test identification parade complainant Sagar Kahar identified the applicant and other three co-accused persons. On the memorandum of applicant Preetam Singh Rs.500/- was seized from him.
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 there is no criminal antecedent against the applicant.
6. Looking to the above 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 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 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