

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3049 of 2019

- Mukesh Ekka S/o Rameshwar Ekka Aged About 26 Years Occupation Agriculture, R/o Village Mudekela, Police Station Pathlagaon, District Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station Officer, Police Station Mahila Thana, Ambikapur District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant : Mr. Jitendra Shrivastava, Advocate.
For Non-applicant : Mr. A. 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. 7/2019 registered at Police Station – Mahila Thana Ambikapur District - Surguja (C.G.) for the offence punishable under Sections 392, 354, 354 (क)(1)(i)(ii), 354(ख)(1)(i), 384 of the Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 26 years of age. She is resident of village Tihpatta. On 31.01.2019 at about 1730 hrs at Kharsiya Chowk, Ambikapur in the bus applicant looted ATM card and photo from her purse. Later on when she demanded her ATM card and photo from the applicant he started dillydallying and told that if she would become his wife then he will return back the ATM card and photo otherwise he will defame her.
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. Looking to these 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 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE