

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3344 of 2019

- Yakub S/o Sarif Husain Aged About 18 Years R/o Talapara, Police Station Civil Lines Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
----- Applicant
- Versus**
- State Of Chhattisgarh Through The Police Of Police Station Civil Lines Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
----- Non-applicant

For Applicant : Mr. Ajay Chandra, Advocate.
For Non-applicant : Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.06.2019

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. 140/2019 registered at Police Station – Civil Lines Bilaspur, District - Bilaspur (C.G.) for the offence punishable under Section 392/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 25.02.2019 at about 18:30 hours at Shrikant Verma Road two unknown persons looted a mobile from the possession of the complainant Rakhi Gour. On the memorandum of the coaccused Pappu Khandekar @ Ganeshwar one mobile was seized from him. The complicity of the applicant is described in his own memorandum.
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. Coaccused Pappu Khandekar @ Ganeshwar has already been enlarged on bail by the coordinate Bench. The case of the applicant is not severe than the case of the coaccused Pappu Khandekar @ Ganeshwar.
7. Thus, 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 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