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HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3490 of 2019

- Haji Memon S/o Late Ganni Dada, Aged About 23 Years, R/o Village Kanki, Police Station Uрга, District- Korba, Chhattisgarh, Presently Residing At Purani Basti, Near Madeena Masjid, Korba, Police Station And Tahsil- Korba, District- Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station Champa, Civil And Revenue District- Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Shaleen Singh Baghel, Advocate.
For Non-applicant/State	:	Mr. Devendra Pratap Singh, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05-07-2019

Heard.

1. This is second application for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 345/2017, registered at Police Station- Champa, District- Janjgir-Champa (C.G.) for the offence punishable under Sections 395 and 397 of the Indian Penal code and Section 27 of Arms Act. The earlier application filed by this applicant was dismissed as withdrawn on 10.05.2018 in M.Cr.C. No. 2669 of 2018.
2. The applicant is falsely implicated in this case and he is languishing in jail since 18.12.2017 and the trial against him is lingering on. Similarly, placed co-accused Premchand Choudhary and Muharram Ali had been granted bail by this Court on the ground of hostility of the witnesses of the case. Therefore, it is prayed that this applicant may also be granted

bail.

3. Learned counsel for the State opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, this applicant was a party to the commission of offence of armed robbery and dacoity that was committed on 26.11.2017.
6. After considering the facts of the case and the change in circumstance that have taken place during the pendency of trial, I feel inclined to allow this application.
7. Hence, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge