

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3759 of 2019**

- Mohammad Wasim Ansari @ Golu S/o Shri Mohammad Islam Ansari Aged About 29 Years R/o Rajbandha Talab, Behind Navbhart Press, Moudhapara District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Tikrapara, District Raipur Chhattisgarh

----Non Applicant

For the Applicant : Shri Pragalbha Sharma, Advocate

For Non Applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****20.06.2019**

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.117/2016 registered at Police Station- Tikrapara, District- Raipur (C.G.) for the offence punishable under Sections 365, 394 of Indian Penal Code.
3. Case of the prosecution, in brief is that complainant Shekh Julfikar had sold the Chevrolet Beat car to Mohd. Nabi Kureshi. Thereafter, Mohd. Nabi Kureshi sold the same car to co-accused Arshad Khan. The instalments of the said car were not paid, thus complainant Shekh Julfikar took back that car and parked it in the house of his brother Ibrahim at village Mujgahan. On 19.03.2016, applicant, co-accused Arshad Khan, Arif @ Mamu, Annu reached in the house of complainant, beat him by hands and fists, slapped him and took him in the house of his brother at village Mujgahan. They snatched the key of car and took the said car, they gave threats to kill 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 in police case diary.
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 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 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