

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3999 of 2019

- Ravishankar Ekka S/o Shiv Mangal Ekka (Wrongly Mentioned as Shiv Bhagat Ekka), Aged About 22 Years, Caste - Oraon, R/o Village - Bishunpur, Police Station - Jainagar, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through S.H.O. Police Station, Jainagar, District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Gyan Prakash Shukla, Advocate.

For Non-applicant/State – Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

31-07-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 06-05-2019 in connection with Crime No.99/2019 registered at P.S. - Jainagar, District- Surajpur, Chhattisgarh for the offence under Section 34, 394 of the IPC.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. No case is made out against this applicant. The seizure of only cash Rs.100/- has been made from the possession of this applicant. Apart from that, there is no evidence against him. Charge sheet has been filed in this case after completion of the investigation. Therefore, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant has previous history of having been prosecuted for offence under Section 379 of the IPC. Therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, complainant Sanjay Singh Paikara and his companion were looted of their possessions of two mobile phones and cash amount. After lodging of the FIR the case has been investigated in which seizure of cash Rs.100/- and one motorcycle has been made from the possession of this applicant.
6. Considering that the case is now pending for trial and there is all likelihood of delay in conclusion of the trial, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge