

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5341 of 2019**

- Milap Diwan S/o Mahesh Diwan, aged about 26 years, R/o Arand, Police Station Pithoura, Tahsil Pithoura, District Mahasamund (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Police Station – Sankra, District Mahasamund (C.G.)

---- Respondent

For Applicant	:	Shri Dashrath Kushwaha, Advocate
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/10/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.131/2019, registered at Police Station – Sankra, District Mahasamund (C.G.) for the offence punishable under Sections 341 and 397 of IPC.
2. The prosecution story, in brief, is that on 08.07.2019, the applicant intercepted Development Officer of Annapurna Finance Private Ltd Company, poured petrol on him and committed loot of Rs.85,350/-. Based on this, offence has been registered. Present applicant has been taken into custody on 16.07.2019
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that there is delay in lodging the FIR and the same has been lodged against the unknown person. He also submits that in the TIP, the present applicant has not been identified by anyone and no seizure was affected from him. He also submits that the applicant is in custody since 16.07.2019, charge sheet has not been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 16.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge