

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5483 of 2019**

- Anup Singh Gond S/o Tula Ram Aged About 43 Years R/o Village Ratanpur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Ratanpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rajeev Kumar Dubey, Advocate.
For Respondent	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18/11/2019**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 433/2018 registered at Police Station – Ratanpur, District Bilaspur (C.G.) for the offence punishable under Sections 147, 148, 394, 511, 307, 302 & 395 of IPC.
- The prosecution story in brief is that, the present applicant with other co-accused have committed loot of Rs. 10,000/- from the deceased namely Aditya Dewangan and committed mar-peat with wooden road and beer bottle due to which Aditya Dewangan died. Thereafter, offence has been registered against the applicant and he was arrested on 03.11.2018.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the present applicant is not main accused. He is only an auto driver and all the seizure

witnesses have not supported the seizure memorandum and turned hostile. Applicant is in jail since 03.11.2018, therefore, the present applicant may be released on bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties and perused the case diary.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, further considering the fact that all seizure witnesses have not supported the seizure memorandum and turned hostile and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge