

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5685 of 2019**

- Aurangzeb S/o Mohd. Tahir Sheikh Aged About 30 Years, R/o Village Pratappur Chetna, Police Station Gadwa (Jharkhand) Presently R/o Bazarpara, Kusmi, Police Station And Tahsil Kusmi, District Balrampur - Ramanujganj, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Kusmi, District Balrampur - Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Jitendra Shrivastava, Adv.
For Respondent/State	: Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 91/2019 registered at Police Station Kusmi, District-Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 294, 286, 458, 294, 323 and 506-B/34 of IPC.
2. The prosecution story, in brief is that, on 05.07.2019, the complainant namely, Shashikant Das lodged a report against the applicant that on 03.07.2019 when he was working in the office and distributing the amount to the transporters at about 10:30 pm. the applicant and one Dhiraj Jaiswal entered into his office and dragged the complainant forcibly by holding his collar and on the gun point they started abusing him in the filthy language and stated that they are Maoists and thereafter demanded the amount, when he failed to fulfill the demand they assaulted him and looted two golden rings, amount of Rs. 12,000/- etc. and ran away from the

place by their Bolero vehicle. Based on this offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. The applicant is in jail since 06.07.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the offence is triable by Judicial Magistrate First Class, the applicant is in jail since 06.07.2019 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.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**