

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5802 of 2019

- Gulshan Kumar Ratre S/o Dori Lal Ratre Aged About 22 Years R/o Nagar Panchayat Adbhar, District Janjgir- Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Dharamjaigarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

 For Applicant : Shri Ishwar Jaiswal, Advocate
 For Respondent/State : Shri Wasim Miyan, Panel Lawyer

Hon'ble Smt.Justice Rajani Dubey
Order On Board

07.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.283/2018, registered at Police Station Dharamjaigarh, District Raigarh(CG) for the offence punishable under Sections 392/34 of the IPC.
3. As per the case of prosecution, on 3.11.2018 at about 5.30 pm, the applicant along with other co-accused persons, on the point of gun looted a mobile phone of the complainant and his friend while they were sitting on a bridge near Primary School of Dharamjaigarh, Kharasiya.
4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the

case. He submits that one of the co-accused has been released on bail by the Sessions Court. He submits that the applicant is in jail since 8.8.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.

5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and charge sheet has been filed and one of the co-accused has been released on bail, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE