

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5997 of 2019

- Anil Kumar Rathore S/o Vyasnarayan Rathore Aged About 26 Years Caste Rathore, R/o Bhalpahri, Chowki, Hardibazar, Police Station Kusmunda, District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kusmunda, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	: Shri Aditya Khare, Advocate
For Respondent/State	: Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

18/11/2019

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.168/2019 registered at police station Kusmunda, District Korba (CG) for the offence punishable under Sections 397,34 IPC.

Case of the prosecution in brief is that a report was lodged by the complainant that when he was returning home from his auto rickshaw loaded with daily needs, the applicant and the co-accused who were on the motorcycle stopped him, looted cash of Rs. 5,370/- and food articles and ran away.

Counsel for the applicant submits that the applicant has been falsely implicated in the crime. He submits that the applicant is in jail since 18.05.19; the charge sheet has been filed; offence is triable by Judicial Magistrate First Class and looking to the conduct of the prosecution, it is clear that the trial will take time for its conclusion and therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge