

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6503 of 2019**

- Jay Prakash S/o Pyarelal Aged About 22 Years (Not Mentioned In The Order Sheet), R/o Village Kosmi (Darripara) Police Station Mainpur, District - Gariyaband Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Mainpur, Civil And Revenue District - Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. A.D. Kuldeep, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/11/2019**

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. 53/2019 registered at Police Station Mainpur, Civil and Revenue District-Gariyaband (C.G.) for the offence punishable under Sections 399, 402 of the IPC and 25 of Arms Act.
2. The prosecution story, in brief is that police received an information by the informant that 5-6 unknown persons was planning to loot the amount from the contractor of Tendupatta, after searching, police seized knife, stick, mobile phone from the possession of the applicant and other co-accused persons. 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. He further submits that the other co-accused person has already been granted bail in MCRC No. 5097/2019. The applicant is in jail

since 18.05.2019, 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, detention period of applicant and further considering the facts that the other co-accused person has already been granted bail in MCRC No. 5097/2019. The present applicant is in jail since 18.05.2019 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**