

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6270 of 2019**

- Sandeep Yadav S/o Jeetu Yadav Aged About 19 Years, Caste Aheer, R/o Thakurpur, Police Station Jaynagar, District- Surajpur, Chhattisgarh.

---- Applicant

Versus

- The State Of Chhattisgarh, Through : Police Station Jaynagar, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. A.K. Prasad, Adv.
For Respondent/State	:	Ms. Akshra Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****26.11.2019**

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. 99/2019 registered at Police Station Jaynagar, District-Surajpur (C.G.) for the offence punishable under Section 394/34 of the IPC.
2. The prosecution story, in brief is that, on 21.04.2019, complainant Sanjay Singh Paikra and his companion namely Bisnu Kumar Yadav were lotted by the present applicant along with other co-accused persons. They were looted two mobile phones and cash of Rs. 1,000/- from the complainant and his companion. Immediately after the incident, on 21.04.2019 itself, FIR has been lodged by the complainant. 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 other co-accused persons have already

been granted bail in MCRC Nos. 5464/2019 and 3999/2019. The applicant is in jail since 22.04.2019, 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 other co-accused persons have already been granted bail in MCRC Nos. 5464/2019 and 3999/2019. The present applicant is in jail since 22.04.2019 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**