

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6225 of 2019**

- Rahul Patel S/o Shri Suresh Kumar Patel Aged About 19 Years, R/o Village Kosmanda, P.S. Champa, District- Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : S.H.O. P.S. Baradwar, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ravindra Sharma, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.11.2019**

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. 218/2019 registered at Police Station Baradwar, District-Janjgir-Champa (C.G.) for the offence punishable under Sections 392/34 of the IPC and 25, 27 of Arms Act.
2. The prosecution story, in brief is that, complainant a driver of truck bearing registration No. CG-15-AC-4088 lodged a complaint that on 20.08.2019 at about 01:00 am., near Chandra Dhaba at Muaktaraja, Baradwar, District-Janjgir-Champa, C.G. when he seated in the cabin of the truck at that time three unknown persons came in the place of incident with knife and iron rod, and threatened to kill him and looted one Lava company mobile phone and Rs. 2500/- cash and ran away from the place of incident. 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 present applicant has not identified by the complainant. The applicant is in jail since 22.08.2019, 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 offence is triable by Judicial Magistrate First Class and the present applicant is in jail since 22.08.2019 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**