

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6542 of 2019

- Karamveer Rao S/o Shri Bhurelal Aged About 25 Years R/o Johar Nagar, Near Naya Masjid, Birgaon, Thana Khamtarai, Raipur, District- Raipur, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Khamtari, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri D.N.Prajapati, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

02/12/2019

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.270/2019 registered at police station Khamtarai, District Raipur (CG) for the offence punishable under Section 394/34 IPC.

Case of the prosecution in brief is that the complainant was carrying cash of Rs. 50,000/- and hired an auto to go to his destination. The applicant who was the auto driver had picked up his two companions who had covered their faces and thereafter they looted the complainant of the cash and mobile phone.

Counsel for the applicant submits that the applicant has been

falsely implicated. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C. No. 6025/2019 vide order dated 18.11.2019 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 25.05.2019; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

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 and also the fact that similarly placed co-accused have been granted bail by this Court, 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