

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6847 of 2019**

- Bhajju Pawale S/o Amar Sai, aged about 32 years, Caste Gond, Occupation - Painting, R/o village Jamgala, P.S. Lakhanpur, District Surguja (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Lakhanpur, District Surguja (C.G.)

---- Respondent

For Applicant	:	Shri Nishi Kant Sinha, Advocate
For Respondent	:	Shri Vinod Tekam, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.119/2019, registered at Police Station - Lakhanpur, District Surguja (C.G.) for the offence punishable under Sections 394, 341 & 34 IPC.
2. The prosecution case is that on 18.07.2019, when the complainant was going on his motorcycle towards his house, three unknown persons intercepted him, assaulted and looted Rs.20,000/- from him. During investigation, accused was interrogated, his memorandum statement was recorded and Rs.2,500/- was seized from his possession. Based on this, offence has been registered. The present applicant has been taken into custody on 01.08.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is in custody since

01.08.2019, charge sheet has been filed, the offence is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 01.08.2019, the offence is triable by Magistrate, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge