

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6958 of 2019**

- Chaindas @ Sonu Nirala S/o Pinlal Nirala, Aged About 20 Years
Caste Satnami, R/o Gobara, Tahsil Dabhra, District Janjgir
Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police
Station Dabhra, District Janjgir Champa Chhattisgarh,
District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant	:	Shri Rajbahadur Singh, Advocate
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 111/2019, registered at Police Station – Dabhra, District Janjgir Champa(C.G.) for the offence punishable under Sections 394, 120B, 34 of the IPC.
2. Case of the prosecution is that complainant Kamal Agrawal lodged a report that on 28.3.2019 at about 8.30 am when he was returning after recovering money, on the way the present applicant along with other co-accused persons threw chilly powder in his eyes due to which he fell down from the motorcycle in the canal and they looted cash of Rs.73,000/- from his bag and a mobile phone. The accused persons were arrested and a mobile phone was recovered from the

possession of the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that except memorandum of the co-accused, there is nothing incriminating against the applicant. He further submits that as the applicant is in custody since 4.4.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge