

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6755 of 2019**

- Asif Khan S/o Latif Khan, aged about 24 years, R/o Azad Chowk, Mangla, P.S. Civil Lines, Tahsil and District Bilaspur (C.G.)

**---- Applicant****Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Civil Lines, District Bilaspur (C.G.)

**---- Respondent**


---

|                |   |                           |
|----------------|---|---------------------------|
| For Applicant  | : | Shri Sunil Sahu, Advocate |
| For Respondent | : | Ms. Akshara Amit, P.L.    |

---

**Hon'ble Smt Justice Rajani Dubey****Order on Board****24/10/2019**

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.547/2019, registered at Police Station – Civil Lines, District Bilaspur (C.G.) for the offence punishable under Section 392 of IPC.
2. The prosecution story, in brief, is that the complainant lodged a report in police station alleging therein that on 20.08.2019, the applicant and other accused persons looted Rs.2,000/- from him while he was going on his way. On the basis of said report, offence has been registered. Present applicant has been taken into custody on 21.08.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that only on the basis of memorandum statement of other accused person, the present applicant has been arrested and only Rs.300/- has been seized from his possession. He also submits that the applicant is in custody since 21.08.2019, charge sheet has been filed 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 State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, and further considering the fact that the case is triable by Judicial Magistrate First Class, the applicant is in custody since 21.08.2019 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.25,000/- 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.

Sd/-

**(Rajani Dubey)**  
Judge