

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8678 of 2018**

Gaurav Pandey S/o Rajkumar Pandey Aged About 28 Years R/o Subhash Nagar ,ward No. 10 ,near Lovely Club A.C.C Jamul District Durg Chhattisgarh., District : Durg, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Nandini District Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri T.K. Jha, Advocate
For the State	:	Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Case diary not produced. Counsel for the applicant provided photocopy of the charge-sheet in connection with the Crime No. 178/2018 registered at Police Station Nandini, District Durg (C.G.) for the offence punishable under Sections 452, 365, 323, 427/34 of IPC.
3. Case of the prosecution, in brief is that on 24/06/2018 at about 10.45 p.m. at 100 Unit Township Nandini Nagar applicant Gaurav Pandey and two other unknown co-accused entered in the house of complainant Chhatram and took away him after beating. Applicant Gaurav Pandey @ Suraj Pandey snatched the SIM from the mobile of said complainant. During the test identification parade said complainant identified co-accused C. Bhaskar and Swaraj Singh.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. From the photocopy of memo of arrest of applicant Gaurav @ Suraj Pandey no criminal antecedents has reported against him.
7. As per the true copy of the application of no objection which is the part of bail petition of applicant said complainant had no objection to release the applicant on bail in the proceeding at 6th Additional Sessions Judge, Durg.
8. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial

and he would cooperate during the trial, he shall be released on bail.

9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde