

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8937 of 2018**

Rakesh Bhardwaz S/o Nankidau Bhardwaz Aged About 31 Years By Occupation Farmer ,r/o Village Kulba ,o.P. Faguram ,police Station Dabhra ,district Janjgir -Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Dabhra ,district Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For the Applicant	:	Shri M.K. Baeg, Advocate
For the State	:	Shri A.K. Swarnkar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**04/01/2019**

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. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.359/2018 registered at Police Station Dabhra, District Janjgir-champa (C.G.) for the offence punishable under Section 402, 399 of IPC and under Section 25, 27 of Arms Act.
3. Case of the prosecution, in brief is that an information was received by out post Faguram that near the village Sapiya 5-6 persons have assembled for causing robbery. Police party reached the spot and caught hold the applicant, co-accused Nand Kumar Yadav, Anirudhra, Manoj Kumar, Pankaj Rai and Suklal. Co-accused Nand Kumar, Anirudhra had iron rod and co-accused Manoj Kumar had one club. Co-accused Suklal was found along with one pistol and three round cartridges.
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. As per the web copy of the order dated 26/10/2018 passed by the co-ordinate Bench of this Court in MCRC No. 7005/2018 co-accused Pankaj Rai has been released on bail. The case of present applicants is not severer than the co-accused Pankaj Rai. Thus it is ordered 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.
7. Certified copy as per rules

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde