

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6976 of 2019**

- Shankar Dutta S/o N.G. Dutta Aged About 48 Years R/o Radhika Nagar, Ward No. 4, House No. 23/3, Police Station Supela, Tahsil And District Durg, Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Khairagarh, District Rajnandgaon, Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Shri T.K. Jha, Advocate.
For Respondent	:	Shri Vinod Tekam, 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.289/2019, registered at Police Station – Khairagarh, District Rajnandgaon(C.G.) for the offence punishable under Sections 294, 323, 506, 365, 34, 394, 120B of the IPC.
2. It is the case of the prosecution that complainant Chandrika Prasad Tiwari lodged a report that accused Rajesh Sharma came to him with one M.M. Tajuddin and the present applicant and shown his magic and thereafter, the applicant seated him in his car and taken to some lonely place and assaulted him and looted Rs.22,000/- and one mobile phone.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He submits that the offence is triable by Magistrate and charge sheet has been filed. He further submits that the applicant is in custody since 18.9.2019 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 and the detention period of the applicant; charge sheet has been filed and the offence is triable by Magistrate, 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