

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7035 of 2019**

- Bhagat Ram @ Ravi S/o Shri Soloman Dongari Aged About 38 Years, R/o Paikopuki, Police Station And District Korapur (Orisha), Presently R/o Ranwabhata Banjari Nagar, Ward No. 11, Police Station Khamtarai, Raipur, Tahsil And District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Tilda-Nevra, Raipur District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Nirupama Bajpai, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 07/2019 registered at Police Station-Tilda-Nevra, District-Raipur (C.G.) for the offence punishable under Sections 41(1+4) of Cr.P.C., 392, 34 of the IPC and 25, 27 of Arms Act.
2. The prosecution story, is that during the investigation of crime police had received information that at village Sankra, near the restaurant two unknown persons are searching customer for selling the looted mobile and standing near under the bridge turning at that time the police official reached there then applicant and co-accused was trying to fled away. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question.

He further submits that the applicant is in jail since 09.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that there is no previous criminal antecedent against the present applicant and the applicant is in jail since 09.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**