NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9654 of 2018

- Avinash Kumar Kurre S/o Samaru Lal Aged About 23 Years R/o Tahsil Road Jagdalla, Champa, District Janjgir- Champa, CG

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate Korba, Police Station Urga, District Korba, CG

---- Respondent

For applicant Mr. G.R. Miri with Mr. Basant Kaiwartya, Adv.
For Respondent/State Mr. I. Lakra, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

15-1-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.

2. The applicant has been arrested in connection with Crime No. 246/2018 registered in police station Urga, Distt. Korba (CG) for offence punishable under Section 392, 34 of the IPC.

3. Case diary is not produced. Counsel for applicant produced copy of charge sheet for perusal of the Court.

4. Prosecution story in brief is that complainant Panchram Uranv is driver of truck bearing registration No. CG 12 S 6289. He was going from Baloda Bajar to Umreli to deliver loaded cement. At about 3.30 am, 5 unknown persons stopped his truck. Two unknown persons climbed over the truck, abused said complainant and looted Rs. 500/- from his pocket, snatched mobile from his helper. They fled away by a motorcycle bearing registration No. CG 11 AC 1264. On the memorandum of applicant one note of 500 denomination, one motorcycle bearing registration No. CG 11 AC 1264 were seized from him.

5. Counsel for the applicant argued that the applicant is innocent

and falsely implicated. He further submits that in TIP parade the applicant was not identified, hence he be released on bail.

6. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.

7. As per photocopy of arrest memo of the applicant which is part of the charge sheet, there is no criminal antecedent of the applicant.

8. Looking to the above facts and circumstances of the case, and as trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

9. CC as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge

Pathak