

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9772 of 2018

- Shanti Lal Dewangan @ Nanu S/o Guruwar Dewangan Aged About 23 Years R/o Chingraj Para Sarkanda Bilaspur District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Masturi, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Mr. P.K. Tulsyan, Advocate
For State/respondent	: Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/01/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.515/2017 registered at Police-Station-Msturi, District-Bilaspur(C.G.) for the offence punishable under Sections 147, 148, 120-B, 395/149, 397/149 & 307/149 (in two counts) of the Indian Penal Code and Section 25(1) (a) & 27 of Arms Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail

since 28.12.2017 and there is no evidence regarding his participation in the crime of loot and dacoity. Hence, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that according to the memorandum statement given by him this applicant had actively participated in the offence of loot and dacoity, therefore, his application be rejected.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. It is alleged that nine persons looted the country liquor shop at Gatora on 3.12.2017 where one of co-accused persons fired country made fire arm and injured the Kamlesh Maravi.
6. Considered on the entire evidence present in the case diary there is no TIP conducted with respect to this applicant and the recovery on the basis of memorandum that has been made is only Rs.500/- cash, hence, under these circumstances, I am of the view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge