

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 269 of 2019**

Satyendra Roy S/o Shri Dukhu Roy Aged About 21 Years R/o Arujn Nagar, Kamp-1, Bhilai, P. S. Supela, Tahsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through P. S. Supela, District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Keshav Dewangan, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**31/01/2019**

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.0754/2018 registered at Police Station Supela (Bhilai) District Durg (C.G.) for the offence punishable under Section 394, 458 read with 34 of IPC and Section 25 & 27 of Arms Act.
3. Case of the prosecution, in brief is that complainant Prakash Sahu runs a dispensary at Ramnagar Bhilai. On 18/08/2018 about 9 p.m. applicant and two other co-accused reached in his dispensary stated that treatment is required for applicant. One co-accused pointed knife on his neck. Another co-accused robbed his Purse containing Rs.2750/-, driving license, one wrist watch from him.
4. Learned counsel for the applicant submits that applicant is innocent and falsely implicated in the present case, he is in jail since 18/08/2018, offence is triable by judicial Magistrate and other two co-accused who are juvenile are enlarged on bail by the Juvenile Board, 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. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde