

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2 of 2019

- Pankaj Shrivastava S/o Lalit Shrivastava Aged About 18 Years R/o Fokatpara, Sarvamangla Road, Korba, Tahsil And District - Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Kotwali, Korba, District - Korba Chhattisgarh.

---- Respondent

For Applicant	: Shri Rajbahadur Singh, Advocate on behalf of Mr. Awadh Tripathi, Advocate
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/01/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 384/2018, registered at Police Station Kotwali, District Korba (C.G.) for the offence punishable under Section 394 & 365 of the IPC.
2. As per prosecution story, on 11.06.2018 at about 8:30 PM complainant Shailendra Kumar Sharma coming back after repairing of his laptop and while crossing the road the applicant along with other co-accused persons namely Nitesh @ Lalja, Vikram, Sarfuddin and Pankaj came there and demanded for money to the complainant. It is further alleged that they have looted one laptop, one mobile phone and one purse from the complainant. On the basis of said report, offence has been registered. The applicant is in custody since 13.06.2018.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present

case. He further submits that the other co-accused persons namely Sarfuddin and Nitesh @ Lalla have already granted benefit of bail by this Court vide order dated 07.12.2018 passed in MCRC No. 6992/2018 & 7934/2018, the applicant has no criminal antecedent, he is in custody since 13.06.2018 and trial will likely to take some time, therefore, he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the fact and circumstances of the case, evidence collected by the prosecution and further considering the fact that the other co-accused have already granted benefit of bail by this Court, the applicant has no criminal antecedent, he is in custody since 13-06-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like amount to the satisfaction of the trial court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge