

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 341 of 2020**

- Lalit Dahariya @ Bhuru S/o Shri Punaram Dahariya Aged About 21 Years R/o Village Kanhera, Police Station Urla, Tahsil And District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Ganj, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Keshav Prasad Gupta, Advocate
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****27/02/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.350/2019, registered at Police Station - Ganj, District Raipur (C.G.) for the offence punishable under Sections 341, 394 34 IPC.
2. The allegation against the present applicant is that when complainant Pramod Singh Rajput was going towards Mekahara in his auto rickshaw, the present applicant along with co-accused Deepak Shrivastava intercepted him and demanded Rs.100/- to which the complainant denied, thereafter, the applicant along with co-accused Deepak Shrivastava pressed his neck hurling abuses, committed maarpeet and snatched Rs.100/-, air filter and mobile phone. Based on which, offence has been registered against him and he has been taken into custody on 13.09.2019.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits on the memorandum of the applicant only mobile has been seized. He also submits that the applicant is in custody since 13.09.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that the applicant is habitual offender, and as many as 3 criminal cases already registered against him.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 13.09.2019, charge sheet has been filed and the trial is 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 his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge