

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 280 of 2020**

- Jagga Das S/o Tankdhar Das Aged About 22 Years R/o Village Biriskela, Post Office And Police Station Boden, District Nuapada, Odisha.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Amlipadar, District Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.02.2020**

- The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 35/2015 registered at Police Station : Amlipadar, District Gariyaband (C.G.) for the offence punishable under Sections 398, 506(B) of the IPC.
- The prosecution story in brief is that on 17.07.2015 complainant lodged a written report before concerned police station against the unknown persons alleging that some unknown persons entered his house and tried to commit '*dacoity*'. Based on this, after investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. Referring to the Annexure A/2 filed by counsel for the applicant, he

would submit that on 07.06.2017, the other co-accused person have been acquitted by the trial Court. The present applicant has been alleged only on the basis of the memorandum statement of the co-accused person. Nothing has been seized from the present applicant and he is in jail since 12.10.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, he may be released on bail.

- On the other hand, State counsel strongly opposes the bail application of the applicant.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
- Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu