

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 375 of 2020**

- Suresh Kumar Verma & Anr. S/o Ram Lochan Verma Aged About 29 Years R/o Village Firozpur, Police Station Mankapur, District Konda Uttar Pradesh.
- Vijay Verma S/o Ram Lochan Verma Aged About 20 Years R/o Village Firozpur, Police Station Mankapur, District Konda Uttar Pradesh.

---- Applicants**Versus**

- State Of Chhattisgarh Through District Magistrate, Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicants	: Shri B.P.Singh, Advocate
For Respondent/State	: Shri Vinod Tekam, PL

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

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.468/2019 registered at police station Pulgaon, district Durg (CG) for the offence punishable under Sections 392,397,395,307,212 and 120-B IPC.

As per prosecution case, on the date of incident i.e. 26.09.2019, at about 9.40 p.m. when complainant Harjinder Singh, after closing his

liquor shop, along with his supervisor Umesh Verma were going towards their house, three unknown persons stopped them and looted the key of the bicycle, mobile, and bag containing cash of Rs. 1,50,000/-. It is further case of the prosecution that one of the accused had shot fire on him.

Counsel for the applicants submits that so far as applicant No.1 is concerned, he is not pressing the application on his behalf and wants to withdraw with liberty to revive the same after examination of the material witnesses.

On behalf of the applicant No.2, counsel for the applicants submits that he has been falsely implicated in the case. He further submits that on the date of incident, the applicant No.2 was not present on the spot. He submits that the applicant is in jail since 27.09.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and detention period of the applicant No.2, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant No.2-Vijay Verma furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be

released on bail. However, the application on behalf of applicant No.1- Suresh Kumar Verma is dismissed as withdrawn with the liberty as aforesaid.

Sd/-
(Rajani Dubey)
Judge