

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 439 of 2020**

- Vishal Yadav @ Bunty S/o Ramratan Yadav Aged About 22 Years R/o Rajeev Gandhi Nagar, Bhajandipa Raigarh Tahsil And District Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Thana In-charge, Police Station Pusour, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Rajendra Tripathi, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/03/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 220/2019 registered at Police Station - Pusour, District - Raigarh (C.G.) for the offence punishable under Section 394 of the IPC.
2. The prosecution story, in brief is that, the complainant lodged a report that the applicant and three other co-accused persons have looted the wallet of the complainant in which the Driving License and ATM Card were kept and one Samsung Mobile phone was also looted by the accused/applicant and others. On the basis of memorandum statement of the applicant the said mobile phone, and wallet were seized from the other co-accused persons. Based on this, offence has been registered against the present applicant and other co-accused persons.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 07.12.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 07.12.2019 and 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.
7. 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 trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**