

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 863 of 2020**

- Hitesh Kumar Deshlahre, S/o Lumchand Deshlahre, Aged About 20 Years, R/o Village Limtara, Tahsil Dhamdha, Police Station- Kumhari, District- Durg Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through: Police Station- Kumhari, District- Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. C. K. Sahu, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20.03.2020**

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. 221/2019 registered at Police Station- Kumhari, District- Durg, (C.G.) for the offence punishable under Sections 394, 411, 34 of I.P.C.
2. The prosecution story, in brief is that, complainant Yatindra Kumar Dewangan lodged a report alleging that on 11.12.2019, while he was returning with his wife and daughter on scooter from village Limtara to his village Kurud, at that time present applicant along with other co-accused came there, assaulted the complainant and looted Rs. 1,700/- cash, mobile phone, some golden ornaments and other documents. Based on that, 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 other co-accused persons have been granted bail in MCRC No. 470/2020. The applicant is in jail since 08.12.2019, 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 the applicant and the other co-accused persons have been granted bail in MCRC No. 470/2020, 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.
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**

Ruchi