

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1402 of 2020

Akshay Bhoyar, S/o. Shri Rajesh Bhoyar, Aged About 21 Years, R/o. Chhattisgarh Nagar Tikrapara Tathagat Fruit Merchant Raipur, District Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through The Station House Officer Supela, District Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Goutam Khetrapal, Advocate

For Respondent : Mr. Ayaz Naved, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

ORDER

13.05.2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.1158/2019 registered at Police Station- Supela, District Durg (C.G.) for the offence punishable under Section 392 of Indian Penal Code.
2. As per the prosecution case, on 27.11.2019 the applicant along with other co-accused asked for time from the complainant and thereafter looted his mobile and ran away.
3. Learned counsel for the applicant would submit that the applicant has been arrested on 01.01.2020 and there is no identification paraded has been carried out. He further submits that the charge sheet has been filed and no further investigation is necessary; therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the nature of allegation and the fact that the applicant is in jail since 01.01.2020 and the charge sheet has been filed; I am inclined to release the applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
6. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge