

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1868 of 2020**

- Abhisar Deshmukh son of Teeman Deshmukh, aged about 32 years, R/o Baghera, Near Pani Tanki, Durg, Tahsil and District Durg (C.G.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through - The District Magistrate Durg, District Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Praveen Dhurandhar, Advocate
For Respondent	:	Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/06/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.456/2019, registered at Police Station - Mohan Nagar, Durg (C.G.) for the offence punishable under Sections 392 and 394/34 IPC.
2. The prosecution story, in brief, is that on 24.12.2019 at about 5.30 PM, when complainant Vikas Kumar Verma was waiting for Bun on road, the present applicant along with other co-accused persons came there on motorcycle and looted his mobile, purse, Rs.300/- and also the Adhar Card. Based on this, offence has been registered. The present applicant has been taken into custody on 25.12.2020.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that only Rs.280/- has been seized from the applicant. He also submits that the present applicant is in custody since 25.12.2020, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 25.12.2020, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.
9. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re :**

Contagion of COVID 19 Virus in Prisons (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde