

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2358 of 2020**

- Himanshu Bandhe S/o Rakesh Bandhe, Aged About 28 Years
R/o Village Vishrampur, Police Station Simga, District Baloda
Bazar - Bhatapara Chhattisgarh., District : Balodabazar-
Bhatapara, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - Station House Officer,
Police Of Police Station Simga, District Baloda Bazar,
Bhatapara(CG)

---- Respondent

 For Applicant : Shri Anil Gulati, Advocate
 For Respondent/State : Shri Gagan Tiwari, Dy.Govt. Advocate

Hon'ble Smt.Justice Rajani Dubey
Order On Board

13.05.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.174/2019, registered at Police Station Simga, District Baloda Bazar-Bhatapara(CG) for the offence punishable under Sections 394, 212, 414 r/w Section 34 of the IPC and Sections 25 and 27 of the Arms Act.
3. It is the case of the prosecution that the complainant lodged a report that on 2.6.2019 while he was going in his Car along with his family at about 6.00 am from Patna to Raipur, on the way the applicant along with other co-accused persons looted golden articles amounting to Rs.1,00,000/- from them and on resistance they assaulted him and his family members.

4. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and one of the co-accused Jogendar Fekar has been released on bail by the court below. He submits that the applicant is in jail 12.12.2019 and the trial is likely to take some time for its final disposal, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and detention period of the applicant, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy, as per rules. Sd/

(Rajani Dubey)
JUDGE