

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3350 of 2020**

- Mahboob Ansari, S/o Suleman Ansari, Aged about 57 years, R/o village Satpata, Muslim Mohalla, PS Vishrampur, District Surajpur (C.G.)
---- **Applicant**

Versus

- State of Chhattisgarh, Through – SHO, Police Station- Vishrampur, District Surajpur(C.G.)
---- **Respondent**

For Applicant : Mr. Anil Gulati, Advocate.

For Respondent/State : Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24.06.2020**

- The accused/applicant has moved his first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 34/2020 registered at Police Station – Vishrampur, District- Surajpur (C.G.) for the offence punishable under Sections 419 and 420 read with Section 34 of IPC.
- According to the prosecution story, a report was lodged by the complainant Manjit Singh alleging in it that the applicant along with Jakir asked him for double the amount and thereafter, the complainant and other persons given a sum of Rs. 8,40,000/- and the other co-accused Jakir, thereafter, they called one person whose name is Naushad @ Pasa and subsequently Naushad @ Pasa performed the work of witchcraft at Ambikapur and subsequently, Naushad @ Pasa fled away and thereafter, the FIR was lodged against the present applicant and other co-accused persons.
- Learned counsel for the applicant submits that the applicant is innocent person who has been falsely implicated in the aforesaid case. He next contended that the applicant is in jail since 02.03.2020, therefore he may be granted bail.
- On the other hand, counsel for the State opposes the bail

application.

- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 50,000/-, with one local surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.
- 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), they 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 they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge

Vasant