

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No.3826 of 2020**

Boti @ Dayanidhi, S/o Parmanand, Aged About 31 Years R/o Village -  
Boden, Police Station And Post Office - Boden, District - Nuapada  
(Odisha) **---- Applicant**

**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station -  
Amlipadar, District - Gariyaband Chhattisgarh **---- Respondent**

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| For Applicant        | : | Shri Shivendu Pandya, Advocate |
| For Respondent/State | : | Shri Ravish Verma, G.A.        |

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**S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**25/08/2020**

Heard.

1. The applicant has been arrested in connection with Crime No. 23 of 2014(as per charge sheet) registered at Police Station- Amlipadar, District Gariyaband (CG) for the alleged commission of offence under Section 395, 398, 342, 458/34 & 412 of IPC and Section 25/27 Arms Act (as per charge sheet).
2. The prosecution story in brief is that on 06.08.2014 some unknown persons entered the house of the complainant, threatened him and looted some ornaments & cash from the house of complainant. Based on this, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He would further submit that the present applicant has been involved only on the basis of the memorandum statement of the co-accused person. Nothing has been seized from the present applicant and he is in jail since 20.10.2019 and he is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court. He would further submit that similarly situated co-accused Jagga Das

has already been granted bail by this Court vide order dated 25.02.2020 in M.Cr.C. No.374 of 2020, therefore, the applicant may also be granted bail.

4. On the other hand, State counsel strongly opposes the bail application of the applicant.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as the trial is likely to take some time for its final disposal, further taking into consideration that similarly situated co-accused Jagga Das has been granted bail vide order dated 25.02.2020 in M.Cr.C. No.374 of 2020 and there is no identification parade conducted, 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 said Court on each and every date given to him by the said Court.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
Judge