

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4247 of 2020**

- Nand Jharokha Jangade, S/o- Mehettar, Aged about 33 years, R/o- Village Ghatiyakhurd, PS Nandni Bhilai, District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – District Magistrate, District Durg (C.G.)

---- Respondent

For Applicant : Mr. Anmol Sharma, Advocate.
For Respondent/State : Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17/08/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 295/2017 registered at Police Station- Nandni Nagar, District Durg (C.G.) for the offence punishable under Section 394 of the IPC.
2. The prosecution story in brief is that, on 26.10.2017, it is alleged that the present applicant along with other co-accused persons entered into the court-yard of the complainant Balbir Singh and assaulted him. They also looted 7100/- case and two mobile handsets from him.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that there are no material evidence against the present applicant. Except memorandum of the applicant nothing has been seized from him. He next submits that the applicant is in jail since 17.06.2020, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail

application and submits that the allegation against the applicant is of serious in nature; therefore, no case is made out for grant of bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering that the applicant is in jail since 17.06.2020, and the trial is likely to take some time for its final disposal, 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 trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vasant