

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4253 of 2020

- Pyare Bharti, S/o. Baldau Bharti, Aged about 20 years, R/o. Bhainsapara, Baloda Bazar, Thana City Kotwali, Balodabazar, District Baloda Bazar -Bhatapara CG

---- Applicant

Versus

- State Of Chhattisgarh, Through Police Station City Kotwali, Baloda Bazar, district Baloda Bazar -Bhatapara CG

---- Respondent

For Applicant : Shri Prasoon Agrawal Advocate
For Respondent /State : Ms. Sunita Jain, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

28/08/2020

The applicant has filed this second application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 550/2019 registered at police station City Kotwali, Baloda Bazar, district Baloda Bazar -Bhatapara (CG) for the offence punishable under Sections 394 IPC.

The first bail application was dismissed as withdrawn with liberty to revive the same after examination of material witnesses.

As per prosecution case, report was lodged by the complainant against the applicants alleging that they have committed *maar-peeth* with him while purchasing liquor and looted Rs. 1500/- and a mobile phone.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that the trial has been

concluded and none of the witnesses have supported the prosecution case. Lastly, he submits that the applicant is in jail since 24.09.2019; charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion, therefore he may be released on bail.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge