

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4487 of 2020**

- Vinod Kumar Yadav, S/o Rameshwar Yadav, Aged about 22 years, R/o village Kharijhariya, PS Kunkuri, District Jashpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through : The Station House Officer, Police Station Kunkuri, District Jashpur (C.G.)

---- Respondent

For Applicant : Mr. J.K. Saxena, Advocate.
For Respondent/State : Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/08/2020**

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. 25/2020 registered at Police Kunkuri, District Jashpur (C.G.) for the offence punishable under Sections 392, 394, 457, 506-B, 34 of the IPC, 1860.
2. The prosecution story in brief is that, on 30.03.2020, the complainant Rejina Tirkey lodged a report at PS Kunkuri alleging therein that on 13.02.2020, two persons came in her house and looted Rs. 50,000/- from her. On the basis of the above report, the offences were registered against unknown persons and during the course of investigation, the co-accused persons have been arrested and on the basis of their memorandum, the present applicant has also been arrested.
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 the applicant has not

committed any loot and there is no direct or indirect material against the present applicant. He next submits that the applicant is in jail since 31.03.2020, 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 applicant has been identified by the complainant in TI parade and the applicant has done a very heinous crime, so he may not be granted bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge

Vasant