

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4470 of 2020**

- Laikhan Yadav, S/o Chamru Yadav, Aged about 38 years, Caste Mahkul, R/o Kharijhariya, PS Kunkuri, District Jashpur (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – Station House Officer, PS-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 Station- 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 present 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 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 31.03.2020, 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