

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4895 of 2020**

- Deepak Singh Chauhan S/o Nirmal Singh aged about 25 years, R/o Fokatpara Shastri Nagar, P.S. Devendra Nagar, District-Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Police Station G.R.P., District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Devershi Thakur, Adv.
For Respondent/State	:	Mr. Adil Minhaz, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/09/2020**

1. The accused/applicant has moved this **second bail** application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 297/2019 registered at Police Station G.R.P, District-Raipur (C.G.) for the offence punishable under Sections 394 and 395 of the IPC.
2. The first bail application of the applicant was dismissed by this Court on 25.02.2020 in MCRC No. 229/2020 along with MCRC Nos. 833/2020 & 1434/2020.
3. The allegation against the applicant is that they snatched mobile phone of complainants and assaulted them when the train stopped for one hour before Raipur railway station while they were returning from Mahasamund to Raipur after playing cricket match. Based on this, offence has been registered against the present applicant.
4. 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 complainant has

compromised the matter and affidavit to this effect has been submitted by him before the trial Court. He also submits that the other co-accused has already been granted bail in MCRC No. 4868/2020, therefore, the present applicant may also be granted benefit of bail. He next submits that the applicant is in jail since 19.11.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

5. 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.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 co-accused has already been granted bail and the applicant is in jail since 19.11.2019, 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.
8. 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