

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5246 of 2020**

- Md. Rashid S/o Md. Jalil aged about 27 years, R/o Village-Pandri, Police Station-Raghunathnagar, District-Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through – Station House Officer, Police Station Raghunathnagar, District-Balrampur-ramanujganj, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Arun Kumar Shukla, Adv.
For Respondent/State	:	Mr. H. S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/09/2020**

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. 02/2020 registered at Police Station Raghunathnagar, District-Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 456, 384 R/w 34 of the IPC and 25, 27 of Arms Act.
2. The prosecution story in brief, is that complainant lodged a report with the allegation that he had given the JCB Machine on rent to the applicant and co-accused persons for a sum of Rs. 90,000/- per month and it is alleged that the applicant went to his house, threatened him and demanded Rs. 2,00,000/- on the point of country made pistol/katta. Based on this offence has been registered against the applicant and other co-accused.
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 other co-accused person has already been given bail in MCRC No. 1604/2020, therefore, the present applicant may also be given benefit of bail. He also submits that the applicant is in jail since 07.07.2020, 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 offence committed by the applicant is 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 other co-accused has already been granted bail and applicant is in jail since 07.07.2020, 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**