

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6120 of 2020

- Javed Akhtar, S/o Shri Shakil Ahmad, Aged About 28 Years, R/o Madaipur, Police Station Mandhata, District Pratapgarh, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh, Through Out Post Padamanabhpur, Police Station Durg, District Durg, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Kshitij Sharma, Advocate
Shri Rakesh Sahu, Dy. GA

Hon'ble Justice Shri Gautam Chourdiya

Order On Board

02/12/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.645/2018, registered at Outpost Padmanabhpur, Police Station Durg, District Durg (C.G.) for the offence punishable under Sections 307, 397, 34, 120-B of IPC and Sections 25 & 27 of the Arms Act.
2. The case of the prosecution in brief is that the applicant and the co-accused had intercepted the victim, who was carrying cash of Rs.5 Lakhs and thereafter one of the accused fired gun shot and the cash was looted.
3. The co-accused Manish Basore has been granted bail by the

Coordinate Bench in MCRC No.1042/2020 vide order dated 20.03.2020.

4. Learned State counsel opposes the bail application.
5. Having heard learned counsel for the parties and having regard to the facts and circumstances of the case and looking to the entire evidence available on record, except the memorandum statement of the co-accused, and for the fact that the applicant is in jail since 09.08.2019 and the trial is likely to take some more time, the present is a fit case to release the applicant on bail.
6. Accordingly, the bail application is allowed and it is directed that in the event of applicant's executing a personal bond for a sum of Rs.25,000/- with two equivalent sureties for the like amount to the satisfaction of the Trial Court, the applicant be released on bail. He is directed to appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.
7. It is made clear that the applicant shall not involve himself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-
Gautam Chourdiya
Judge

Nirala