

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6266 of 2020

- Pankaj Sharma, S/o Shri Ravindra Sharma, Aged About 24 Years, R/o Amraiyyapara Ward No.07, Police Station Kotwali Korba, Tehsil and District Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Kusmunda, Tehsil and District Korba, Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri A. C. Sahu, Advocate
Shri Dinesh Tiwari, Dy. GA

Hon'ble Justice Shri Gautam Chourdiya

Order On Board

04/12/2020

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he has been arrested in connection with Crime No.335/2020, registered at Police Station Kusmunda, District Korba (C.G.) for the offence punishable under Sections 394, 435 & 120-B read with Section 34 of IPC.
2. The case of the prosecution in brief is that on 29.07.2020 at 3:30 am near Loading Point, the applicant along with other co-accused persons were setting 5 motorcycles on fire and when the victim saw it and raised objection, they committed maarpeet with him and snatched away Rs.11,000/- and Aadhar Card from the victim. Based on the offence, the FIR has been registered against the applicant and other co-accused persons.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case. There is no evidence against the applicant as to whether he was involved in the offence and snatched away Rs.11,000 and Aadhar Card from the victim. The applicant is in jail since 30.07.2020 and conclusion of trial may take some time, therefore, the applicant may kindly be enlarged on bail.
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; the offences are triable by the JMFC; the applicant is in custody since 30.07.2020; charge sheet has already been filed and the conclusion of trial may take some time, this Court is inclined 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.2 Lakhs with two sureties of Rs.1 Lakh each 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