

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7043 of 2020**

- Mukhlal Yadav @ Pradeep Son Of Ramavtar Yadav, Resident Of Village Bilaitikhas, P.S.- Chiniya, District- Gadva (Jharkhand)

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Samri, District- Balrampur- Ramanujganj (Chhattisgarh)

---- Respondent

For Applicant. : Mr. A.K. Yadav, Advocate.
 For Respondent/State : Mr. Anand Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15.12.2020**

1. The accused/applicant has moved this **Second bail application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 02/2012 registered at Police Station – Samri, District Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 147, 148, 149, 323, 342, 353, 395, 307, 120B, 427 of the IPC, Section 25 & 27 of Arms Act and Section 35 of Explosive Substance Act.
2. The first bail application of the applicant was dismissed as withdrawn on 02.03.2020 passed in MCRC No. 59/2020.
3. As per the prosecution case, the allegation against the present applicant is that he along with co-accused person has kidnapped the Lakhu Yadav and assaulted him by Gun and committed robbery on the gun point.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He next submits that co-accused Indrajeet Yadav and Akshay

Korwa have already been granted bail by this Hon'ble Court on 20.07.2020 passed in MCRC Nos. 1091/2020 & 1577/2020. The present applicant is ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this court, therefore, the present applicant may be released on bail.

5. Per contra, State counsel opposes the bail application.
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, fact that the co-accused have already granted bail by this Court, as 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 said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu