

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6865 of 2020**

- Mangal Tandi, son of Shri Gulabo Tandi, aged about 22 years, resident of Jagriti Nagar, Gali No. 326, Devendra Nagar, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station G.R.P. Raipur, District Raipur (C.G.)

---- Respondent

For Applicant. : Mr. C. R. Sahu, 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 **Third bail application** under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 297/2019 registered at Police Station - G.R.P. Raipur, District Raipur (C.G.) for the offence punishable under Section 394 of the IPC.
2. The earlier bail applications of the applicant were dismissed by this Hon'ble Court.
3. As per the prosecution case, the allegation against the present applicant is that he along with co-accused persons assaulted the complainant and others with the help of club and sharp edged weapon and snatched mobile phones of them.
4. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He next submits that the co-accused persons namely Hemant Sikka @ Tinku and Akash Chandra Bagh @ Bhakka have already been granted bail by this Hon'ble Court on 02.09.2020 passed in MCRC No 4868/2020. Referring to Annexure A/5, filed with this application, counsel for the applicant would submit that the compromise has been done between the parties. He further contended that the present applicant is in jail since 19.11.2019 and he 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, detention period of the applicant, fact that the co-accused have already been 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 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