

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7162 of 2020

- Anand Shukla, S/o Vinod Kumar Shukla, aged about 18 Years, R/o Street No. 21, Block No. 16 C, Sector 7, Bhilai, Police Station Bhilai Nagar, District Durg Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Station House Officer Police Station Bhilai Nagar, District Durg Chhattisgarh.

---- Respondent

For Appellant	Shri Ishan Verma, Advocate.
For Respondent/State	Shri Rakesh Sahu, Deputy Government Advocate.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

17/11/2020

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of bail as he is arrested in connection with crime No. 349/2020, registered at Police Station – Bhilai Nagar, District Durg (C.G.) for the offence punishable under Section 394 of IPC.
2. Case of the prosecution, in brief, is that on 12.09.2020 applicant along with other co-accused called complainant through mobile phone, threatened him for life, snatched his ATM, made him withdraw Rs.16,500/- from ATM and looted the same. On report to the above effect being lodged by the complainant, offence under Section 394 of IPC was

registered against the accused persons.

3. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case without conducting test identification parade. He submits that the applicant is the first offender, he is in jail since 13.09.2020 and conclusion of trial is likely to take some time. Therefore, it is prayed that, applicant may be granted regular bail.
4. On the other hand, learned counsel for the State opposes the bail application. However, the State counsel does not dispute the fact that the applicant has not criminal antecedents.
5. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant has no criminal antecedent, he is in custody since 13.09.2020 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail. Accordingly, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.25,000/- with two equivalent sureties for the like amount to the satisfaction of the concerned trial Court, he shall be released on bail on the following conditions:-
 - (i) He shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (iv) He shall not involve himself in any offence of similar nature in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh