

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7094 of 2019**

- Rajkumar Bhagat S/o Chuhru Ram Bhagat, aged about 35 years, R/o Putrichaora, Chowk-Lodam, Police Station - Jashpur, Tah. & District - Jashpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Kunkuri, District Jashpur (C.G.)

---- Respondent

For Applicant	:	Shri Sanjeev Kumar Sahu, Adv.
For Respondent	:	Smt. Reena Singh, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.78/2019, registered at Police Station - Kunkuri, District Jashpur (C.G.) for the offence punishable under Sections 386, 506(B) and 395 IPC.
2. The prosecution story, in brief, is that on 26.04.2019, the complainant made a written report at Police Station, Kunkuri alleging therein that on 22.04.2019 at 2.45 am, about 6-7 persons covering their faces came to the construction site and threatened the labourers not to carry work of road else they would be killed and also handed over a letter, pretending themselves to be naxalite, and demanded extortion money from the contractor. Based on this, offence has been registered. The present applicant has been taken into custody on 24.06.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that no test identification parade has been conducted and, in the Court, the complainant has not identified the applicant. He also submits that the applicant is in custody since 24.06.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 24.06.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge