

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 7119 of 2019**

- Ganesh Baghel S/o Shri Kripa Ram Baghel, Aged About 35 Years, R/o Village Sejbahar, Police Station - Mujgahan, District - Raipur Chhattisgarh.

---- Applicant

**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Mujgahan, Raipur, District - Raipur, Chhattisgarh.

---- Respondent

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| For Applicant        | : | Ms. Sunita Sahu, Adv. |
| For Respondent/State | : | Mr. Anurag Verma, PL. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****06/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 382/2019 registered at Police Station-Mujgahan, District-Raipur (C.G.) for the offence punishable under Section 394 of the IPC.
2. The prosecution story, is that complainant lodged a report that on 11.10.2019 at about 10.45 O'clock three unknown persons have assaulted on the complainant by *lathi* and main accused Sant Kumar has looted amount Rs. 300/- and mobile valuation at Rs. 1200/- from the complainant. Based on this, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 12.10.2019, there is no likelihood of his case being decided in near future,

therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 12.10.2019 and 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.
7. 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 trial Court on each and every date given to him by the said Court.

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