

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7985 of 2019**

- Rajkumar, S/o Samaru Singh, Aged About 22 Years, Caste- Gond, R/o Village- Sirkikhurd (Bankhetapara), Police Station- Dipka, Tehsil- Katghora, District- Korba, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Bango, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Basant Kaiwartya, Adv.
For Respondent/State	: Mr. Vinod Kumar Tekam, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.01.2020**

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. 202/2019 registered at Police Station- Bango, District- Korba, (C.G.) for the offence punishable under Sections 171, 420/34 of IPC
2. The prosecution story, in brief is that, on 15.11.2019 the complainant filed a complaint against the applicant stating that on 09.11.2019 at about 3:30-4:00 pm three people as a police officer came inside his house asking about liquor being hidden in his house took Rs. 300/- cash and the aadhar card of his wife. Thereafter next day the complainant was called by one Jwala Yadav and took Rs. 3000/- from the complainant and Rs. 1500/- from Mahesh. The complainant also came to know that the same persons also came to the house of Mahesh as Police officers on the same day i.e. 09.11.2019. Thereafter, 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 there is no antecedent against the applicant. The applicant is in jail since 19.11.2019, 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, and further considering the facts that there is no antecedent against the applicant. The applicant is in jail since 19.11.2019, 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. 25,000/-, 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