

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8225 of 2019**

- Rohit Malakar S/o Late Bisan Malakar Aged About 20 Years R/o Bhattapara, Ambikapur, District Surguja, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Ambikapur, District Surguja, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Dashrath Kushwaha, Adv.
For State	:	Mr. B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.02.2020**

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 331/2019 registered at Police Station – Ambikapur, District Sarguja (C.G.) for the offence punishable under Sections 120-B, 395/397 of IPC, Sections 25 (1-A), 25 (1)(1-B) (B), 27(2) of Arms Act. 379 of IPC.
- As per the prosecution story, the allegation against the present applicant is that he along with co-accused persons has stopped the Truck, assaulted the driver and committed loot of Rs. 6,000/- and 3 mobile phones. Based on that, after completion of investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submitted that the present applicant has been made accused in the present case only on the basis of

memorandum of the co-accused person. Applicant is in jail since 24.06.2019 and he is ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicant may be released on bail.

- Per contra, State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, 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.
- 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 said Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge