

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8347 of 2019**

- Ghanshyam Ram S/o Sri Pawan Ram, aged about 27 years, Caste – Mahli, R/o village Ranibagicha Purana Nagar, Police Station & Teh. Jashpur, District Jashpur (C.G.).

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Arun Shukla, Advocate.
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/02/2020**

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.321/2019, registered at Police Station – Jashpur, District Jashpur (C.G.) for the offence punishable under Sections 294, 323, 506 and 394 IPC.
2. The prosecution story, in brief, is that complainant Kalinder made a written report in police station alleging therein that on 11.11.2019, the present applicant along with other co-accused forcibly stopped the motorcycle of complainant impersonating themselves to be officers of CID, looted his mobile, motorcycle and assaulted him with hands and fists. Based on this, offence has been registered. The present applicant has been taken into custody on 13.11.2019.
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 by the prosecution as required under the law. He also submits that the applicant is in custody since 13.11.2019 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 13.11.2019 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.50,000/- 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