

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8500 of 2019

- Junaid Khan S/o Harun Aged About 30 Years R/o Khadhakhadhi, Police Station Tawdu, District Mewat Noohu (Haryana).

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Gariyaband, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	: Shri Arvind Dubey, Advocate
For Respondent/State	: Shri Vinod Tekam, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

10/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No. 22/2019 registered at police station Gariyaband, District Gariyaband (CG) for the offence punishable under Sections 457,382,307,186,353 and 34 IPC and Section 25 and 27 of the Arms Act.

Case of the prosecution in brief is that on 06.02.2019, after receiving information by the police that some people are trying to loot the ATM Machine of the Punjab national Bank by tying a rope and pulling it, they reached the spot and caught the applicant and co-accused.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He further submits that similarly placed co-accused has been granted bail by this Court in M.Cr.C. No. 6267/2019 vide order dated 29.11.2019 and therefore, the present applicant may also be granted similar benefit. He submits that the applicant is in jail since 06.02.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs. 25,000/- with one local surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge