

HIGH COURT OF CHHATTISGARH AT BILASPURMCRC No. 1329 of 2021

Anil Kumar Sidar S/o Rajkumar Aged About 24 Years R/o T.V. Tower
Atarmuda, Raigarh Tahsil And District Raigarh Chhattisgarh, District :
Raigarh, Chhattisgarh

---- **Petitioner**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Pusour, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- **Respondent**

For applicants	:	Ms. Madhunisha Singh, Advocate.
For resp./State	:	Shri Sudeep Agrawal, Dy.AG

Hon'ble Shri Justice P. Sam Koshy
Order on Board

12/05/2021

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No. 215/2020 registered at Police Station Pusore, District Raigarh (C.G.) for the offence punishable under Sections 435, 436, 109, 120-B/34 of IPC.
2. As per the prosecution case on the intervening night of 13-14, November, 2020 the present applicant with three other accused persons is said to have been set on fire to two vehicles i.e. I-10 Car bearing registration no. CG-13 -V -8872 and a Bolero Jeep bearing registration No. CG-13-C -9177 by sprinkling petrol on it. The vehicle belonged to one Bhagat Ram Denjare.
3. According to the counsel for the applicant the present accused person is arrested only on the suspicion and there is no legal and concrete evidence available with the prosecution with which the present application can be led to

the conclusion of the present case. Moreover, the present applicant has already remained in custody for 5 ½ months. Therefore, considering the period of custody the present applicant be released on bail.

4. Learned Dy. AG on the other hand opposing the bail application submits that it is a case where arrest of the applicant has been made on the basis of CCTV Footage that was collected from the shop opposite place of incident in which one Sohan Khan was found to have been moving at the same place at around the same time and on the memorandum statement of the said Sohan Khan the present applicant stands implicated and he has been arrested.

5. Having heard the contentions put forth on either side and on perusal of record, admittedly the present applicant seems to have been arrested only on the basis of memorandum statement of the co-accused namely, Sohan Khan. Moreover, the present applicant has already remained in custody on 29.01.2020 i.e. a period of more than 5 months and charge sheet in the instant case has also filed as early as on 25.03.2021, a strong case has been made out for grant of bail to the present applicant.

6. Accordingly, the application for grant of bail is allowed. It is ordered that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- with two sureties in the like sum to the satisfaction of the concerned Trial Court. The applicants shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-

(P. Sam Koshy)
VACATION JUDGE

Rohit