

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2167 of 2021

- Adarsh Mishra S/o Suraj Mishra Aged About 21 Years R/o Mohka Police Station Basna, District Mahasamund Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Pithora, District Mahasamund Chhattisgarh.,

---- Respondent

For Applicant	–	Mr. Siddharth Rathod, Advocate
For State	-	Mr. Ashish Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.07.2021

1. This is the first bail application filed under Section 439 of CrPC for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 266/2020 registered in Police Station Pithora Distt. Mahasamund (C.G.) for offence punishable under Sections 398, 457, 34 of Indian Penal Code and Section 25 of the Arms Act.
2. As per prosecution case, on 22.10.2020, eight persons entered into the house of the complainant Nandu Mehenti. One of them demanded money on the gun point. At that juncture, the complainant threw dining chair on them and family members also joined. Thereafter, the accused fled from the scene. One of the accused who had hidden himself in the drain was caught.
3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case, the other co-accused have already been enlarged on bail by the co-ordinate Bench of this Court in MCRC No. 1122/2021 and other MCRC applications, therefore the applicant may also be enlarged on bail.
4. Learned State counsel do not dispute the fact that the other co-accused have already been enlarged on bail.

5. Considering the fact that the chargesheet has been filed, the other co-accused have already granted bail, no identification was conducted, without any further observation on the merit, I am inclined to release the applicant on bail. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

Judge

Vishakha