

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6433 of 2021

1. Ranjeet Singh @ Raja S/o Lt. Mangal Singh, Aged About 30 Years,
R/o Balaji Nagar, Ward No. 32, Khursipar, Durg (C.G).

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station
Old Bhilai, District Durg (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Aman Pandey, Advocate.
For Non-Applicant/State	:	Mr. Priyanshu Gupta, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

29/09/2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 05/12/2020 in connection with Crime No. 404/2020 registered at Police Station Old Bhilai, District Durg (C.G.) for the offence punishable under Sections 394 & 397/34 of Indian Penal Code.
- 2) Allegation against the applicant is that on 04/12/2020 he alongwith other co-accused looted two Mobile phones, purse containing Rs. 4,800/-, Aadhar Card, Driving License, total worth Rs. 22,800/- from the complainant Dhaneshwar Sahu on the point of Knife and Gun and thereafter fled from the spot on motorcycle. On report being lodged to the above effect, the aforesaid offence has been registered against accused persons.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that similarly situated co-accused persons namely Nitesh Dange & Sunil Pandey have already been granted regular bail by Court below vide orders dated 23/02/2021 & 25/02/2021 respectively. He further submits that the applicant has been arrested on 05/12/2020. He submits that the charge sheet has already been filed and there is no apprehension of

the applicant tampering with the evidence or absconding and trial is likely to take some time for its disposal. Therefore, the applicant be released on bail on ground of parity.

- 4) On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicant has one criminal antecedent bearing Crime No. 02/2020 under Section 41(1+4) of Code of Criminal Procedure/379 of Indian Penal Code.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the fact that similarly situated co-accused namely Nitesh Dange & Sunil Pandey have already been granted regular bail by Court below, the looted Mobile and cash of Rs. 1,200/- has already been seized from the possession of the applicant on his memorandum, the detention period of the applicant who is 30 years old, charge sheet has been filed, there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and that conclusion of trial may take some time, the application is **allowed**. It is directed that in the event of the applicant executing a personal **bond** for a sum of **Rs. 2,00,000/-** with two sureties of Rs. 1,00,000/- each to the satisfaction of the concerned Trial Court, he shall be released on bail on the following conditions:-
 - i. he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial,
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial,
 - iv. he shall strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority,
 - v. he shall not involve himself in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant