

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6607 of 2021**

- Baldau S/o Shri Panchram Aged About 33 Years Caste-Suryawanshi, R/o Village - Saragaon, Police Station- Saragaon, Civil And Revenue District - Janjgir-Champa (Chhattisgarh)

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate Janjgir, Civil And Revenue District- Janjgir-Champa (Chhattisgarh)

---- Respondent

 For Applicant : Shri Paras Mani Shriwas, Advocate
 For Respondent/State : Shri Ajay Kumarani, Panel Lawyer

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****24.11.2021.**

1. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant who has been arrested on 06.8.2021 in connection with Crime No.104/2021 registered at Police Station Saragaon Distt. Janjgir-Champa (C.G.), for the offence punishable under Sections 394 & 34 of the Indian Penal Code, 1860 (for short 'IPC').

2. Brief facts of the case are that in the night of 04.8.2021 at about 1.30, the applicant along with three other accused persons stopped the truck bearing registration No.CG 22 M 5020, driven by complainant, robbed Rs.1,000/- and two mobile phones from the complainant and his helper. Based on the above fact, present case was registered under Section 394 IPC.

3. Learned counsel for the applicant submits that the applicant is innocent, he has not involved in the alleged crime. No incriminating article has been seized from the applicant which would connect him to the alleged crime. He would next submits that the applicant is in jail since 06.8.2021, charge sheet has been filed and the case is triable by Judicial Magistrate First Class, hence the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel for the parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of offence and also considering the fact that charge sheet has been filed and the case is triable by Judicial Magistrate First Class and also considering that nothing has been seized from the present applicant, I feel inclined to allow the bail application. Therefore, the application under Section 439 of the CrPC is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned for his appearance before the concerned Court as and when directed by the said Court, he be released on bail.

Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
JUDGE