

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7307 of 2021**

- Dev Kumar @ Vikky S/o Late Chhagan Sonwani Aged About 19 Years R/o Rajendra Nagar, Police Station New Rajendra Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through- Station House Officer, P.S. Civil Line, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C.R. Sahu, Adv.
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/10/2021**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 368/2021 registered at Police Station-Civil Line, Raipur, District - Raipur (C.G.) for the offence punishable under Section 394, 34 of the IPC.
2. The prosecution story, in brief is that, complainant Mohd. Nadim has made complaint alleging that in the night of 15.08.2021 at about 1:45 O'clock, when he along with his friend went to Petrol Pump, near Anand Nagar Chowk, at that time 3-4 unknown persons came there and arose dispute with the complainant. It is further alleged that the applicant along with other co-accused persons looted the mobile from Neelesh Naidu and they ran away from the spot. Based on this, offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 18.08.2021, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 18.08.2021, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge