

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7898 of 2020**

- Aslam Khan S/o Shri Iqbal Qureshi Aged About 20 Years R/o Ward No.06 Nayapara Mahasamund, Thana, Tahsil And District Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Mahasamund, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant	:	Shri Sunil Sahu, Advocate
For State	:	Shri Praveen Shrivastava, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/01/2021**

Heard.

1. The applicant has been arrested in connection with Crime No.476/2020 registered at Police Station – Mahasamund, District – Mahasamund (C.G.) for alleged commission of offences under Section 294, 341, 392 of IPC.
2. Prosecution case is that the applicant abused and looted Rs.4,400/- from the complainant.
3. Learned counsel for the applicant would submit that the allegations against the applicant are false. He submits that even according to the complainant, there was an accident between applicant's motor cycle and JCB machine which was driven by the complainant due to which, applicant's motor cycle got damaged and quarrel occurred at the spot. He submits that investigation is complete, charge sheet has been filed and the applicant is in jail since 06/09/2020. Therefore, the applicant may be granted bail.
4. On the other hand, learned State counsel submits that as per the report lodged by the complainant, the applicant looted Rs.4,400/- from him. He submits that the

applicant is a habitual offender and as many as nine criminal cases have been registered which involves offences under Section 294, 323, 457, 380 and 324 IPC. Therefore, if the applicant is granted bail, he is most likely to misuse liberty.

5. Taking into consideration the nature of allegations against the applicant and amount alleged to be looted by the applicant and that investigation is complete, charge sheet has been filed and the applicant is in jail since 06/09/2020, I am inclined to grant bail to the applicant, however, with appropriate conditions though there are certain minor offences which are said to be pending against the applicant,.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

It is made clear that if the applicant misuses his liberty and is again found involved in criminal cases, it would be open for the State to apply for cancellation of bail in the present case.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge