

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7819 of 2021**

Anil Shukla S/o Shri Dayashankar Shukla, aged 27 years R/o near Lalpur Shiv Mandir in-front of Godri Dham P/s Tikrapara Raipur Civil & Revenue Distt. Raipur (C.G.).

----Applicant

Versus

State Of Chhattisgarh through P/S Azad Chowk, Distt. Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. Ajay Mishra, Advocate
For Respondent	:	Mr. D.C. Verma, Govt. Advocate

Hon'ble Shri Justice Deepak Kumar Tiwari

Order on Board

28/10/2021

Heard.

1. The applicant has preferred this first Bail Application under Section 439 of Code of Criminal Procedure, 1973 in connection with Crime No. 99/2021 registered at Police Station- Azad Chowk Raipur (C.G.) for the offence punishable under Section 392/34 of the IPC.
2. Case of the prosecution in brief is that on 09/06/2021 at about 11:45 am, when the victim who is aged about 70 years lady, was going to purchase vegetables, the applicant along with another co-accused looted her gold chain and fled on a motorcycle, thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant is in jail since 30/08/2021 and trial is likely to take time, therefore, he prays to release the

applicant on bail.

4. On the other hand, learned counsel for the State opposes the bail application and submits that no test identification parade has been done.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, particularly the fact that the offence is triable by the JMFC, the applicant is in jail since 30/08/2021 and conclusion of trial is likely to take some time, I am of the view that it is a fit case to enlarge the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs. 50,000/- with two sureties of the like sum amount to the satisfaction of the trial Court on following conditions:-
 - a) 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;
 - b) he shall not act in any manner which will be prejudicial to fair and expeditious trial;
 - c) he shall appear before the trial Court on each and every date given to him by the said Court till the disposal of the trial;
 - d) he shall not involve himself in any offence of similar nature in future;
 - e) while furnishing the bail bonds, the applicant and the person who stand surety shall submit their Aadhar Cards and full-sized colored postcard size photographs mentioning their Aadhar numbers on the same before the trial Court who shall verify the same.

Sd/-
(Deepak Kumar Tiwari)
Judge