

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9375 of 2020**

- Altaf Khan S/o Dildaar Khan Aged About 25 Years Caste Musalman, R/o Village Jamgai, Police Station Chainpur, District Gumla (Jharkhand), District : Gumla, Jharkhand **---- Applicant**

Versus

- State of Chhattisgarh Through Officer In Charge Police Chowki Lodam, Police Station Jashpur District Jashpur Chhattisgarh.---- **Non-applicant**

For Applicant : Mr. Sanjeev Kumar Sahu, Advocate.

For State : Mr. Vaibhav Singh, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****02-02-2021**

1. The applicant preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as he is in jail since 30-8-2020 in connection with Crime No. 178 of 2020 registered at Police Station – Chowki-Lodam, PS Jashpur, District Jashpur (CG) for the offence punishable under Section 392 of the IPC.
2. Allegation against the present applicant is that on 28-8-2020 the complainant along with one Rumna Ram were going to the bank for withdrawal of the amount and when they reached near the house of Nandu Lohra, Rumna Ram went to the house of Nandu Lohra, and at the same time the applicant came there and asked Nandu Lohra to sit on his motor-cycle and thereafter they

went to the bank and after withdrawal of the amount, applicant looted Rs.10,000/- from the complainant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. He would further submit that except present one, applicant has no other criminal antecedent. He would further submit that the applicant is in jail since 30-8-2020 and conclusion of the trial is likely to take some time for its final disposal, therefore he may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application. However, he submits that except present one, applicant has no other criminal antecedents.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, nature of offence, looking to the detention period of the applicant and the fact that the applicant has no other criminal antecedents as admitted by both the parties and that conclusion of trial may take some time, without commenting anything on merits of the case, I am of the opinion that it is a fit case to grant bail to the applicant.
7. Accordingly, the application is allowed and it is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court. He shall appear before the trial Court on each and every date given by the

said trial court, till disposal of the trial. The applicant is being granted 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, and
- 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 not involve himself in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)
Judge

Raju