

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9404 of 2020**

- Akash Rao Bhosle, S/o Shri Kashi Prasad Bhosle, aged about 35 Years, R/o Ward No. 8, Pendarwa, Ranigaon, Police Station Ratanpur, Tahsil Kota District Bilaspur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through Police Station Ratanpur, District Bilaspur Chhattisgarh.

----Non-applicant

For Applicant
For State

Shri Rajendra Kumar Patel, Advocate.
Shri V.K. Agrawal, P.L.

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

1. The applicant has preferred this application under Section 439 of Cr.P.C. as he is in jail since 30.11.2020 in connection with Crime No.638/2020 registered at Police Station Ratanpur, District Bilaspur, C.G. for the offence punishable under Section 392 of Indian Penal Code.
2. Allegation against the applicant is that on the date of incident i.e. 30.11.2020 he looted one mobile and Rs.500/- from the pocket of complainant Balram Pav and mobile of one Janardhan Pav. On report to the above effect being lodged by the complainant, offence under Section 392 of IPC was registered against the applicant.
3. Learned counsel for the applicant submits that applicant is an

innocent person and has been falsely implicated in this case. He submits that the applicant has only one criminal antecedent, he is in jail since 30.11.2020 and conclusion of trial is likely to take some time. Therefore, it is prayed that, applicant may be granted regular bail.

4. On the other hand, learned counsel for the State opposes the bail application. He submits that applicant has only one criminal antecedent.

5. Heard learned counsel for the parties and perused the case diary.

6. Looking to the facts and circumstances of the case, the detention period of the applicant, who is aged about 35 years, two mobiles and Rs.500/- are said to have been looted by the applicant, there is only criminal antecedent of the applicant of the year 2018 under Sections 294, 506 and 323 of Indian Penal Code as admitted by both the counsel and trial is likely to take some time, without expressing any opinion on merits of the case, this Court is of the opinion that present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of applicant executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- each to the satisfaction of the concerned trial Court, he shall be released on 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 or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this Court.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicant involving himself in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh