

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9645 of 2021**

- Ajay Bhoi S/o Banthu Bhoi Aged About 24 Years R/o Dakshin Vasundhara Nagar, Behind Canal, Bhilai-3, Police Station Bhilai-3, Police Station And Tahsil Bhilai-3, District-Durg, Chhattisgarh. (The Details Of Name Of The Applicant Is Not Mentioned In The Impugned Bail Rejection Order)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Purani Bhilai, District- Durg, Chhattisgarh

---- Respondent

For Applicant	:-	Mr. Purnendra Khichariya, Advocate
For Respondent-State	:-	Mr. Afroj Khan, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board**20/12/2021**

1. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime No.227/2020 registered in Police Station Purani Bhilai, District – Durg C.G. for the offence punishable under Sections 392, 397, 34 of the I.P.C.
2. Case of the prosecution, in brief, is that applicant along with co-accused Sheikh Shahid and Akash Kholi has committed loot of mobile on point of knife from the complainant Tarun Kumar.

3. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated. He would further submit that main accused in the crime namely; Sheikh Shahid has been enlarged on bail by this Court vide order dated 16.8.2021 in MCRC No.4511/2021 and the case of present applicant is similar so on the basis of parity he may also be enlarged on bail.
4. *Per contra*, learned State counsel opposes the prayer for grant of bail.
5. Considering the facts and circumstances of the case as also considering the nature of allegation; period of detention and release of co-accused on bail, without commenting on merits, this Court is inclined to release the applicant on bail.
6. It is directed that in the event of the applicant's executing a personal bond for a sum of Rs. 25,000/- with two sureties for the like amount to the satisfaction of the trial Court, he shall be released on bail on the following conditions:-
 - (a) he shall not directly or indirectly make any inducement, threat or promise to any persons 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, and
 - (c) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
 - (d) the applicant and the sureties shall submit a copy of their adhaar card along

with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.

- (e) he shall not involve himself in any offence of similar nature in future.

SD/-

(Deepak Kumar Tiwari)
Judge

Ayushi