

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.9671 of 2021

Rekhu Satnami S/o Dhan Singh Satnami Aged About 19 Years R/o Village Bemcha, Police Station And Tahsil Mahasamund, District : Mahasamund, Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant	:	Shri Shikhar Sharma, Advocate
For Respondent – State	:	Shri Jitendra Shukla, PL for the State

Hon'ble Shri Justice Deepak Kumar Tiwari

Order On Board

20.12.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.234/2021, registered at Police Station Tumgaon, District – Mahasamund (CG) for the offence punishable under Section 394 of the IPC.
2. As per the prosecution case, the FIR was made by the complainant stating in it that when he along with his brother were returning from Village Barkele to his home, near Tumgaon over bridge, the present applicant along with other co-accused persons looted Rs.1800/- and two small mobiles and one touch mobile phone from the complainanta and his brother.
3. Learned counsel for the applicant submits that the applicant is innocent and he is falsely implicated in the present case. He further submits that there is

not active participation of the present applicant in the alleged act and he has no criminal antecedent. It is submitted that the applicant is in jail since 19.10.2021 and trial is likely to take some time, therefore, he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, particularly considering the period of detention, the applicant is a young boy aged about 19 years, he is in jail since 19.10.2021, charge sheet has been filed and further that there is no likelihood of the applicant tampering with the prosecution evidence or absconding, conclusion of trial may take some time, the application is allowed.
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 in the like sum to the satisfaction of the concerned 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 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, 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 surety 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