

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9728 of 2021

- Deepak Ghidoda S/o Santosh Ghidoda, Caste Satnami Aged About 20 Years Occupation General Store, R/o Village Beladula, Tashil Jaijaipur, District Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Malkharouda, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant :- Mr. Mirza Kaiser Beg, Advocate
For Respondent-State :- Ms. Reena Singh, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board

21/12/2021

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.375/2021 registered in Police Station Malkharouda, District Janjgir-Champa C.G. for the offence punishable under Section 392 of the I.P.C.
2. Case of the prosecution, in brief, is that on 22.11.2021 at about 2:00 PM when complainant along with her friend was going home from college at Kamli Road, applicant along with other co-accused namely; Kishan Kurre came there by bike from back side snatched the mobile from her hand and ran away for which offence has been registered.

3. Learned counsel for the applicant submits that the present applicant is an innocent person and has been falsely implicated. He would further submit that applicant is a young boy aged about 20 years and is in jail since 22.11.2021 as also offence is triable by JMFC and no identification parade has been done, therefore, he may be enlarged on bail.
4. *Per contra*, learned State counsel would oppose the prayer for grant of bail. However, he would submit that there is no previous criminal antecedent of the applicant of committing similar nature of crime.
5. Considering the facts and circumstances of the case particularly considering the nature of allegation, and offence is triable by JMFC, this Court is inclined to release the applicant on bail.
6. Accordingly, the application is allowed. It is directed that in the event of the applicant's executing a personal bond for a sum of Rs. 10,000/- 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.

Certified copy as per rules.

SD/-
(**Deepak Kumar Tiwari**)
Judge

Ayushi