

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9353 of 2018

- Sunil S/o Dashru Diwakar, Aged About 24 Years, R/o Bairagpara, Pandaria, Police Station- Pandaria, District- Kabirdham (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Pandaria, District- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicant	:	Shri Santosh Bharat, Advocate
For Respondent	:	Shri R. Agrawal, Government Advocate.

Hon'ble Shri Justice Parth Prateem Sahu

Order On Board

20/12/2018

1. The applicant has preferred this bail application under Section 439 of CrPC as he has been arrested in connection with Crime No.182/2018 registered at Police Station Pandariya, District Kabirdham (CG) for the offence punishable under Section 394, 34 of IPC.
2. The prosecution story, in brief, is the applicant along with co-accused persons namely Keshav & Sanjay have intercepted the truck bearing registration number CG04-HY-4027 and looted cash of Rs.5,300/- from the truck driver and one mobile phone from the Cleaner of said truck.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the offence. He has no criminal past. He further submits that co-accused persons with similar allegations have been enlarged on bail by this Court vide order dated 5.12.2018 passed in M.Cr.C. No.8946/2018. Therefore the applicant may also be extended the same benefit.
4. On the other hand, learned counsel for the State has opposed the bail application and submitted that cash of Rs.1,500/- has been recovered

from this applicant.

5. Considering the facts and circumstances of case, nature of allegation levelled against the applicant and the fact that co-accused persons having similar allegation have already been granted bail by this Court, I am inclined to release the applicants on regular bail.
6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the concerned trial Court with the condition that he will appear before the trial Court concerned at 11.00 a.m. as and when directed and he would cooperate during trial.
7. Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Vacation Judge

roshan/-