

(2019) 09 CHH CK 0042

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 5235 Of 2019

Bablu Kurre

APPELLANT

Vs

State Of Chhattisgarh Through
Station House Officer, Police
Station Dipika

RESPONDENT

Date of Decision: Sept. 6, 2019

Acts Referred:

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 34, 120B, 420

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Awadh Tripathi, Sudeep Verma

Final Decision: Allowed

Judgement

Goutam Bhaduri, J

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 on 13.06.2019 in connection with Crime No.150/2013 registered at Police Station Dipika, District Korba (C.G.) for the offence punishable

under Sections 420, 120 (B) 34 IPC.

2. As per the prosecution case, the applicant along with other three co-accused namely Gangotri, Purendra & Indal Singh received an amount of

Rs.96000/- on 28.11.2013 from one Dilharan and subsequently on the next date took an amount of Rs.1,50,000/- from one Pawan to double it by the

black magic. Subsequently, after the money was given, the applicant who was known as Tantrik Inder fled away, whereas the other co-accused were

arrested. The present applicant was arrested on 13.06.2019.

3. Learned counsel for the applicant submits that the other three accused were tried and have been acquitted for want of evidence and the amount of

Rs.96000/- was initially seized from Gangotri. He would further submit that the applicant is in jail since 13.06.2019, therefore, he may be released on

bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Considering the facts of this case and the fact that the applicant is in jail since 12.06.2019 and further taking into that the charge-sheet in this case

has been filed and the charges have already been framed, I am inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of

Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date

given by the said Court.