

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3088 of 2015

1. Dulichand (wrongly mentioned as Dalichand) aged about 32 years, s/o. Sanwaldas Ogre (wrongly mentioned as Samaydas Ogre), r/o. Khariya, Police Station & Tahsil – Bodla, District Kabirdham (CG).
2. Durpat Gadhewal, aged about 39 years, son of Haricharan, r/o. Taregaon Jungle, P.S. Taregaon, Tahsil Bodla, District Kabirdham (CG).
3. Safar Mohammad aged about 39 years, s/o. Sattar Mohammad, r/o. Of Taregaon Jungle, Tahsil Bodla, District Kabirdham (CG).
4. Dashrath, aged about 33 years s/o. Dhanush Gond, r/o. Baijalpur, Tahsil Bodla, District Kabirdham (CG).

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Bodla, District Kabirdham (CG).

---- Respondent

For Applicant	:	Mr. Suryakant Mishra, Advocate.
For Respondent/State	:	Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

6/7/2015

1. The applicants have moved this application under Section 439 of the Cr.P.C. for grant of regular bail, who have been arrested on 6-5-2015 in connection with Crime No. 17 of 2015 registered at Police Station Bodla, District Kabirdham (CG), for the offence punishable under Section 394 of the IPC.
2. The case of the prosecution is that on 12-2-2015 the present applicants robbed Rs.20,000/- from complainant Tikaram Dewangan and thereby they committed the aforesaid offence.

3. Learned counsel appearing for the applicants would submit that the present applicants have not committed any offence and they have been falsely implicated in the instant case as complainant Tekaram Dewangan caused accident by which Dashrath died. He would further submit that the charge-sheet has been filed in the case and the applicants are in jail since 6-5-2015, therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, material collected by the prosecution and the manner in which the applicants are said to have committed the aforesaid offence, I am not inclined to grant bail to the applicants.
7. Accordingly, the instant bail application is liable to be and is hereby rejected.

Sd/-
(Sanjay K. Agrawal)
Judge

Raju