

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1228 of 2016

1. Suryakant Kosle, son of Ramsnehi Aged About 20 Years, resident of Ratanpur; Police Station Ratanpur; District (Rev. & Civil) Bilaspur Chhattisgarh.
2. Ashish Bhargaw son of Shiv Kumar Bhargaw Aged About 20 Years resident of Ratanpur; Police Station Ratanpur; District (Rev. & Civil) Bilaspur Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh through Police Station Ratanpur; District (Rev. & Civil) Bilaspur Chhattisgarh.

---- **Respondent**

For the applicant	:	Mr. Anand Kesqarwani, Advocate
For the Respondent	:	Ms. Astha Shukla, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

10.03.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 273 of 2015 registered at P.S. Ratanpur, District Bilaspur (C.G) for the offence punishable under Section 394/34 of IPC.
2. As per the prosecution case, on 14.11.2015 the applicant and two other co-accused caused hurt to the complainant Khushal Anuragi and thereafter looted Rs.2000/- from him thereby they have committed offence.
3. Learned counsel for the applicants submits that there was simple assault between the parties and no injury was caused by the applicants. He further submits that applicants have been falsely implicated in this case and they have not committed any such offence. He further submits that the applicants are in jail since 01.01.2016 and the charge sheet

has already been filed, therefore, they may be enlarged on bail.

4. On the other hand, learned State Counsel opposes the bail application.
5. Taking into consideration the facts and circumstances of the case; nature & gravity of the offence; role of the present applicants and the manner in which the offence committed wherein the complainant is said to have been looted, this court is of the opinion that present is not a fit case to enlarge the applicants on bail.
6. Accordingly, the application filed u/s 439 Cr.P.C., is rejected.

**Sd/-
SANJAY K. AGRAWAL
JUDGE**