

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 43 of 2016

1. Satnam Singh S/o Nazir Singh Aged About 25 Years R/o Pandri, Near District Hospital, Post Office - Raipur, Police Station - Pandri-Mowa, Raipur, District Raipur Chhattisgarh.
2. Sunder Sona S/o Mohan Sona Aged About 28 Years R/o New Shanti Nagar, Behind Rameshwar Mandir, Post Office - Raipur, Police Station - Civil Line, Raipur, District Raipur Chhattisgarh. --- **Petitioners**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station - Vidhan Sabha, Raipur, District Raipur Chhattisgarh. --- **Respondent**

MCRC No. 44 of 2016

- Satish Nishad S/o Taplal Nishad Aged About 32 Years R/o - Gorkha Colony, Pandri, Post Office - Raipur, Police Station - Pandri - Mowa, Raipur, Tahsil & District - Raipur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station - Vidhan Sabha, Raipur, District - Raipur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Shivendu Pandya, Advocate.
For the Respondent	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.01.2016

1. These are two bail applications filed u/s 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 166 of 2015 registered at Police station Vidhan Sabha, Raipur, District Raipur (C.G) for the offences punishable under sections 394/34 IPC. Since both these bail applications are relating to same crime number, they are being disposed of by this common order.
2. As per the prosecution case, complainant Chowaram

Sahu lodged the report that on 09.08.2015 he was coming from his village and on the way when he reached near a place known as Chatoud Nala, Raipur the applicants came there on motorcycle and thereafter looted Rs.2740/- and a mobile from the complainant.

3. Learned counsel for the applicant submits that the incident happened over a road race as the victim had given cut to their vehicle whereby the applicants landed into dispute with the complainant and because of such dispute, the complainant has made false report against the applicants. He further submits that the charge sheet has been filed and the applicants are in jail since 12.08.2015, therefore, they may be enlarged on bail.
4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Taking into degree of allegations and the way in which the offence committed and though cash recovery has been made from accused Satish Nishad and the mobile was seized from Satnami Singh, but they have not been identified and taking into fact that the charge sheet has been filed and the applicants are stated to be in jail since 12.08.2015, I am inclined to release them on bail.
6. Accordingly, the bail petitions are allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court. They shall also appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**