

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 842 OF 2016**

1. Hemant Sahu S/o Shri Komal Ram Sahu, aged 19 years,
2. Rahul Lodhi s/o Shri Vinod Lodhi, aged about 20 years

Both are residents of Dabrapara Ganesh Chowk, Bhilai-3, Police Station Bhilai-3, Distt.Durg, Civil and Revenue Distt.Durg (CG)

---Applicants**Versus**

State of Chhattisgarh, Through Police Station Sejbahar, District Raipur (CG)

---Non-applicant

For Applicant	:	Mr. Ajay Mishra, Advocate.
For-Non-applicant	:	Mr. Avinash Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/03/2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 149/2015, registered at Police Station-Sejbahar, District-Raipur (CG), for the offence punishable under Sections 457, 427 and 511/34 of the IPC.

2. Case of the prosecution, in brief, is that, the applicant and co-accused tried to dismantle ATM machine in order to take away the money kept in ATM machine and thereby committed the aforesaid offences.

3. Learned counsel for the applicants would submit that applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that the applicants are in jail since 24.12.2015 and charge-sheet has already been filed and therefore, they may be released on regular bail.

4. Learned State counsel would oppose the prayer for grant of bail and submit that bail application of co-accused Sandeep Vaishnav has been rejected by this Court.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicants and the fact that bail application of co-accused has been rejected, this Court is not inclined to release the applicants on regular bail.

7. Accordingly, bail application filed under Section 439 of the Cr.P.C. is rejected.

8. Certified copy as per rules.

**Sd/-
(Sanjay K. Agrawal)
JUDGE**

B/-