

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3447 of 2016

Rahul Singh @ Aadarsh Singh Rajput, S/o. Lala Singh Rajput, Aged About 18 Years 1 Month, R/o. Bajrangpur, Nawagaon, Tahsil & District Rajnandgaon, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through O.P. Chikhli, Thana Kotwali, District Rajnandgaon, Chhattisgarh.

---- Respondent

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MCRC No. 3448 of 2016

Satish Gajbhiye, S/o. Sadashiv Gajbhiye, Aged About 20 Years, R/o. Nawagaon, Thana Kotwali, Tahsil & District Rajnandgaon, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through O.P. Chikhli, Thana Kotwali, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants : Mr. Samir Singh, Advocate

For Respondent : Mr. Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.07.2016

1. These are the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.179/2016, registered at Police Station- O.P. Chikhli, Thana Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Section 394/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 07.03.2016 the applicants assaulted the complainant Yogesh Pal in front of Temple and looted Rs.70/- and one mobile thereafter on a report lodged,

the applicants were arrested and the mobile was seized from the Railway track.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated since there had been earlier quarrel happened alongwith the complainant, which resulted into such complaint. He further submits that considering the fact that the applicants are in jail since 09.03.2016 and the charge sheet has been filed, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and taking into the nature of offence and degree of allegation and the fact that the charge sheet has been filed and the applicants are in jail since 09.03.2016, I am inclined to release the applicants on bail.
6. Accordingly, both the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge