

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4063 of 2016

1. Salman Ansari S/o Naimuddin Ansari, Aged About 22 Years, Occupation Private Service, R/o. Ara (Sarnapara), P.S. Rajpur, District Balrampur (Wrongly Written in impugned Order As Sarguja) Chhattisgarh
2. Eid Mohammad S/o Late Nasim Ali, Aged About 22 Years Occupation Private Service, R/o Ara (Sarnapara), P.S. Rajpur, District Sarguja Balrampur (wrongly written in impugned Order As Sarguja) Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through : Station House Officer, Police
Station Ambikapur, District Surguja Chhattisgarh

---- Respondent

For applicants - Smt. Hamida Siddiqui, Advocate.
For Respondent/State – Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

27/07/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.168/2015 registered in Police Station Ambikapur, District Surguja (C.G.) for offence punishable under sections 393, 397, 307, 394 of IPC and Section 25 & 27 of Arms Act.
2. As per the prosecution case, on 6/04/2015 the complainant Rakesh Agrawal after closing his shop was going back, at that time applicants approached him and tried to snatch the bag wherein cash was kept and also fired. Subsequently, they were not successful in their effort and they fled away.
3. Learned counsel for the applicants submits that in this case three witnesses Satvan Das who was eye witness, Rakesh Agrawal main complainant and Gopal Agarwal has been examined, they have not

supported the case of the prosecution and the applicants therefore have not been identified, therefore they may be released on bail.

4. Learned State counsel opposes the prayer for grant of bail and would submit that cross examination would show that they were identified.

5. Perused the statement of Satvan Das and Gopal Agrawal. Taking into such statement wherein identity of the applicants have not been established, without any observation on merit as the entire evidence are to be appreciated after all the statements of witness are recorded at this stage this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE