

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5989 of 2016

- Yogesh @ Golu Chauhan S/o Pradeep Chauhan Aged About 19 Years R/o Bhajandeepa, Jutmill Raigarh, Tahsil & District Raigarh, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Kotra Road, District Raigarh, Chhattisgarh. --- **Respondent**

MCRC No. 6100 of 2016

- Sunil Kumar Vaishnav S/o Khemdas Vaishnav Aged About 23 Years R/o Village Chhapora, Tahsil Malkharuada, District Janjgir Champa, Chhattisgarh. At Present Residing At Rajiv Gandhi Nagar, Raigarh, Tahsil & District Raigarh, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Kotra Road, District Raigarh, Chhattisgarh. --- **Respondent**

For the applicants	:	Mr. Ashish Gupta, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.10.2016

1. These are first bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 104/2016 registered at P.S. Kotra Road, Distt. Raigarh (C.G) for the offence punishable under Section 392/34 of IPC.
2. Since both the applications are relating to the same crime number, they are being decided by this common order.
3. As per the prosecution case, a report was made by Murlidhar Chauhan that in the night of 19.04.2016 at about 1.00 a.m., the applicants had looted a Mobile, motorcycle and cash of

Rs.930/- from the complainant at the knife point, thereby the offence is committed.

4. Learned counsel for the applicants would submit that the applicants have been falsely implicated and on trivial dispute the applicants have been implicated. He further submits that the charge sheet in this case has been filed and no further investigation is necessary and since the applicants are in jail from 31.05.2016, they may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail.
6. Perused the statements of complainant and the proceedings of test identification.
7. Considering the statement of the complainant and test identification proceedings wherein the applicants have been identified, I am not inclined to allow these bail applications. Accordingly, both the bail applications are rejected.
8. However, the trial Court is requested to expedite the trial.

Sd/-
GOUTAM BHADURI
JUDGE