

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6763 of 2016

1. Gariblal S/o Radheshyam Aged About 27 Years Caste Chouhan, R/o Village Aurai, Police Station Kartala, Tahsil Kartala, Civil & Revenue District Korba, Chhattisgarh.
 2. Chhatkumar Shriwas S/o Manglu Ram Shriwas Aged About 30 Years R/o Village Fatteganj, Police Station Kartala, Tahsil Kartala, Civil & Revenue District Korba, Chhattisgarh.
 3. Manharan Shriwas S/o Sadhuran Aged About 30 Years R/o Village Supatarai, Police Station Uрга, Tahsil Kartala, Civil & Revenue District Korba, Chhattisgarh.
- Applicants**

Versus

- State of Chhattisgarh Through The District Magistrate, Police Station Kartala, Civil & Revenue District Korba, Chhattisgarh. (As Per Rejection Order)
- Respondent**

For the applicant	:	Mr. Punit Ruparel, Advocate
For the Respondent	:	Mr. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 54/2016 registered at P.S. Kartala, Distt. Korba (C.G) for the offence punishable under Section 394/34 of IPC.
2. As per the prosecution case, on 09.08.2016 one Kalaram alongwith Rajesh Kumar and Bhardwaj were coming back from a village Aurai on a motorcycle and on the way they were intercepted by the present applicants, asked their whereabouts and abused them and thereafter they looted a Samsung Mobile and Rs.1500/- from them. Out of fear, the victims left the motorcycle on the spot and ran away to

village Aurai and reported the incident to the Sarpanch.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and in fact no offence has been committed. He further submits that only some dispute arose between the parties and therefore false allegations have been made.
4. Per contra, learned State Counsel opposes the bail. She submits that from the possession of one of the applicants namely Chhat Kumar Shriwas, one mobile was seized and the applicants were identified.
5. Taking into consideration the evidence collected by the prosecution and the identification of the accused, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**