

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7589 of 2016

1. Rajesh Verma @ Bholu S/o Harishankar Verma Aged About 26 Years R/o Rajkishore Nagar Sarkanda Police Station Sarkanda District Bilaspur Chhattisgarh
2. Pragati Dora S/o C. T. Murty Aged About 20 Years R/o Rajkishore Nagar Sarkanda, Police Station Sarkanda Bilaspur Chhattisgarh ----
Applicants

Versus

- State of Chhattisgarh Through : Police Station Sarkanda District Bilaspur Chhattisgarh ---- **Respondent**

For the applicants	: Mr. Arvind Dubey, Advocate
For the Respondent	: Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

30.11.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 583/2016 registered at P.S. Sarkanda, Distt. Bilaspur (C.G) for the offence punishable under Sections 341, 394, 34 of IPC & Sections 25, 27 of the Arms Act.
2. As per the prosecution case, on 31.08.2016 a report was lodged by complainant Avinash Wadhwani that while returning to his home from Magneto Mall after watching a movie the applicants came on motorcycle and stopped the car of complainant and thereafter at the gun point, they looted golden chain and ring finger from the applicant, thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated; charge sheet in this

case has been filed; no further investigation is necessary and they are in jail since 31.08.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. He submits that against applicant no.1 Rajesh Verma @ Bholu 3 cases of IPC are standing to his credit whereas no past antecedents are reported against applicant No.2 Pragati Dora.
5. Considering the facts and circumstances of the case and taking into degree of allegations; pretrial detention and further since no past antecedents are reported against applicant no.2, I am inclined to release him on bail.
6. Accordingly, the bail application of applicant No.2 Pragati Dora is allowed and he is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.
7. So far as it relates to applicant No.1 Rajesh Verma @ Bholu, since it is reported that 3 cases of IPC are standing to his credit, as such looking to his past antecedents, I am not inclined to release applicant no.1 on bail. His application is rejected.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**