

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5 of 2017

1. Punit Pardhi S/o Chandralal Pardhi, Aged About 27 Years R/o Village Buchidih, Police Station Beral, District Bemetara Chhattisgarh
2. Amitabh Pardhi, S/o Johari Pardhi, Aged About 24 Years R/o Village Buchidih, Police Station Beral, District Bemetara Chhattisgarh ---
Applicants

Versus

- State of Chhattisgarh through District Magistrate Durg, Police Station Dhamdha, District Durg Chhattisgarh --- **Respondent**

MCRC No. 20 of 2017

- Rajkumar Pardhi S/o Chandralal Pardhi Aged About 27 Years R/o Village Buchidih, Police Station Beral, District Bemetara, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh through District Magistrate Durg, Police Station Dhamdha, District Durg, Chhattisgarh. --- **Respondent**

For the applicants	:	Mrs. Kiraj Jain, Advocate
For the Respondent	:	Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.01.2017

1. The applicants have filed these two bail applications under Section 439 of the Code of Criminal Procedure seeking grant of regular bail in connection with Crime No. 240/2016 registered at P.S. Dhamdha, Distt. Durg (C.G) for the offence punishable under Sections 458, 380, 395 of IPC. Since both these bail applications are relating to the same crime number, they are being disposed by the common order.
2. As per the prosecution case, the applicants on 8.8.2016 entered into the house of complainant Jagannath, assaulted

him and thereafter looted ornaments and cash. Subsequently the sons of the complainants Sunil and Anil were also assaulted and confined in the room by two persons and after locking the room, the accused fled away. Subsequently one of the accused were arrested and they were identified and from their memorandum, cash was recorded.

3. Learned counsel for the applicants would submit that identification was made on 22.08.2016 and the seizure was also made on the same day at different place. It is submitted that the identification was made at Dhamdha and the seizure of cash was made at village Buchidi which continued from 11 a.m., to 4.30 p.m., therefore, false allegations have been made against the present applicants.
4. Perused the case diary documents. It appears that the applicants were identified by the complainant. Considering the way in which the offence committed and the identification of the applicants, I am not inclined to allow these bail applications. Accordingly, both the applications are rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**