

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 403 of 2017

1. Gorge Francis @ Buddu S/o Agustin E. Westin Aged About 24 Years
R/o Under Over Bridge Hemunagar, Police Station Torwa, Revenue &
Civil District Bilaspur, Chhattisgarh.
2. Suresh Sahu @ Guddu S/o Kunwar Sahu Aged About 25 Years R/o
Opposite Chandan Yadav, House Hemu Nagar, Police Station Torwa,
Bilaspur, Tahsil & Revenue And Civil District Bilaspur, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh through the Police Station Torwa, District
Bilaspur, Chhattisgarh.

--- Respondent

For the applicants	:	Mr. Pravin Tulsyan, Advocate
For the Respondent	:	Mr. U.K.S. Chandel, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.02.2017

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. 372/2016
registered at P.S. Torwa, Bilaspur, Distt. Bilaspur (C.G) for
the offence punishable under Sections 392/34 of IPC.
2. As per the prosecution case, on 12.02.2016 complainant
Sanjay Kumar Binjwar came to the railway station alongwith
his relatives. While he was coming out, the applicants met
them and demanded Rs.50/-. Having denied the same, the
applicants caught hold of the complainant and thereafter
forcibly took out different amounts of Rs.2400/- from their
pockets and fled away.
3. Learned counsel for the applicants would submit that the
entire story as projected by the prosecution is improbable as

the time of incident is after 8 o' clock. It is submitted that since the dispute took place over the payment of auto charges, false allegations have been made against the applicants. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicants are in jail since 22.12.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and the documents. Considering the degree of allegations levelled against the applicants and the fact that the charge sheet has been filed; no further investigation is necessary and the applicants are said to be in jail since 22.12.2016, I am inclined to allow this bail application.
6. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court till disposal of trial.

C.c. as per rules.

Sd/-

GOUTAM BHADURI
JUDGE