

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2001 of 2017

1. Nitesh Rao S/o Late Kushal Rao, Aged About 27 Years R/o Mahaveer Nagar, Telibandha, Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Police Station Mouhadapara, Raipur, District Raipur, Chhattisgarh.

---- Respondent

And

MCRC No. 2065 Of 2017

1. Shubham Chandrakar S/o Gorelal Chandrakar, Aged About 21 Years R/o Jai Jawan Chowk, Telibandha, Post Office Raipur, Police Station Telibandha, Raipur, Tahsil & District Raipur, Chhattisgarh.

---- Petitioner

Vs

1. State Of Chhattisgarh Through The Station House Officer, Police Station Moudhapara, District Raipur, Chhattisgarh.

---- Respondent

For Petitioners
For Respondent/State

Shri Shivendu Pandya, Advocate
Shri Anupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

25/05/2017

1. Since both the bail applications are arising out of same crime number i.e. Cr.No.186/2016, they are being considered and disposed of by this common order.

2. The applicants have preferred these applications filed under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.186/2016 registered in Police Station Moudhapara, District Raipur (CG) for the offence punishable under Sections 399 & 402 of the Indian Penal Code and Section 25 of the Arms Act.
3. Applicants along with co-accused Sanjay Raksel, Neeraj @ Chotu & Manoj Kumar Dhruw have allegedly conspired to dacoity in the house of one Monu @ Tanjil Raza of Raja Talab, Raipur.
4. It is stated that on receiving secret information the police team raided the place where the applicants were hatching conspiracy and were caught red-handed along with Baseball Bat, Iron rod, Hockey Stick, Pistol, etc.
5. Although co-accused Sanjay Raksel has criminal antecedents, but considering the nature of evidence available on record and for the fact that all the accused persons belong to Raipur and not of any other city or far off place and further in view of the fact that the statement of witnesses Bahiruddin & Jinesh Sonwani has been recorded on the date of incident itself i.e. 21-11-2016 whereas the FIR has been registered at 23.55 hours on 21-11-2016, as also for the reasons that the applicants are in jail since 22-11-2016, this Court is inclined to release them on bail. Accordingly, both the applications are allowed and the applicants are directed to be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Vacation Judge
Prashant Kumar Mishra

Gowri