

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1593 of 2018**

Rakesh Sarthi S/o Hariram Sarthi, aged about 20 years, R/o Atal Awas.
Sakri, Chowki – Sakri, Police Station – Chakarbhata, District Bilaspur (C.G.)

----Applicant

Versus

The State of Chhattisgarh, through the Station House Officer, Chowki –
Sakri, Police Station- Chakarbhata, District Bilaspur (C.G.)

---- Non-applicant

And**M.Cr.C. No. 194 of 2018**

Sunny Sarthi, S/o Chandan Sarthi, aged about 26 years, R/o Atal Awas.
Sakri, Chowki – Sakri, Police Station – Chakarbhata, District Bilaspur (C.G.)

----Applicant

Versus

The State of Chhattisgarh, through the Station House Officer, Chowki –
Sakri, Police Station- Chakarbhata, District Bilaspur (C.G.)

---- Non-applicant

For Applicants	:	Mr. Umakant Singh Chandel and Mr. Vaibhav A. Goverdhan, Advocate.
For Respondent/State	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/03/18**

1. Since the aforesaid two bail applications have been filed against the said Crime No. 499/2017, they are being disposed of by this common order.
2. These are the first bail applications filed under Section 439 of the

Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No. 499/2017, registered at Police Station- Chowki Sakri, Police Station- Chakarbhata, District Bilaspur (C.G.), for the offence punishable under Sections 147, 148, 294, 506, 427, and 452 of the IPC.

3. Case of the prosecution, in brief, is that on 22.10.2017, the applicants along with other four co-accused persons duly armed with club and stones damaged the government / public property and thereby committed offence under above mentioned sections.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and has falsely been implicated in crime in question. He would further submit that no useful purpose would be served by detaining them in jail as three other co-accused persons namely Ankit Sarthi, Vijay Maravi and Nikhil Yadav have already been released on bail on 13.02.2018 passed in M.Cr.C. No. 7669/2017. He would also submit that the applicants are in jail since 29.11.2017 and charge-sheet has already been filed, therefore, they may be released on regular bail.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case; further taking into consideration the nature & gravity of the offence; role of the present applicants; statement of the applicants that charge sheet has

already been filed and three other co-accused persons have already been granted bail, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)

Judge