

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.962 of 2018**

1. Rajesh Kurre, aged about 27 years, S/o Santu Ram Kurre,
2. Subhash Lahre, S/o Jawahar Lal Lahre, aged about 23 years,
Both R/o Village Khaija, Bhatapara, P.S. Baloda, District Janjgir-Champa, Chhattisgarh

---- Applicants**versus**

State of Chhattisgarh through Station House Officer, Police Station
Baloda, District Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants	:	Shri Ravindra Sharma, Advocate
For Respondent/State	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****13.4.2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the Applicants who have been arrested in connection with Crime No.232 of 2017 registered at Police Station Baloda, District Janjgir-Champa for offence punishable under Sections 341 and 394 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that Complainant Karan Kumar lodged First Information Report in Police Station Baloda alleging that on 25.11.2017 at about 2:00 p.m., while returning from Pantora to Chhitapali, near forest, two unknown persons wrongly restrained him and one of them assaulted him with lathi and both of them looted two mobile sets and cash of Rs.2,000/- from him. It is further alleged that thereafter they called one another person and ran away with him from the place of occurrence.

3. Learned Counsel appearing for the Applicants submits that though all the three persons were identified by the Complainant during test identification parade yet the present Applicants are not the main accused. They are innocent. Charge-sheet has been filed. The Applicants are in custody since 22.12.2017. Trial will take a long time. Therefore, they may be released on bail.
4. Learned Counsel appearing for the State opposes the prayer for grant of bail.
5. I have heard Learned Counsel appearing for the parties and perused the entire case diary with due care.
6. Having considered the arguments advanced and the facts and circumstances of the case, particularly, the facts that the offence is triable by a Judicial Magistrate First Class, the Applicants are in custody since 22.12.2017, trial is likely to take time, without further commenting on merits of the case, I am inclined to enlarge the Applicants on bail. Accordingly, the bail application is allowed.
7. It is directed that the Applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- with one solvent surety of the like sum to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
JUDGE