

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1700 of 2018**

1. Dipak Das Manikpuri S/o Dhandas Manikpuri Aged About 21 Years R/o- Village- Uslapur, P.S.- Sakri, District- Bilaspur, Chhattisgarh., District : Bijapur, Chhattisgarh
2. Shubham Yadav S/o Munna Yadav Aged About 21 Years R/o- Village- Uslapur, P.S.- Sakri, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Jitendra Maravi S/o Budhram Maravi Aged About 30 Years R/o- Village- Uslapur, P.S.- Sakri, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through- District Magistrate, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicants : Shri Akhtar Hussain, Advocate.
 For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.04.2018**

Heard.

1. This is the first bail application 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.535 of 2017, registered at Police Station Sakri, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 341, 392, 294 and 506/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 23.11.2017 and have been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed and no purpose

would be served if the applicant is kept in detention for the whole period of trial. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident complainant – Kamal Prajapati was looted by three unknown persons and cash of Rs.5,500/- and one mobile set was looted from his possession. After lodging of FIR, the mobile set was recovered and seized from applicant No.1 – Dipak Das Manikpuri. Hence, this case.

6. Considered the material present in the case-diary, no TIP has been conducted in this case and the applicant has no criminal antecedents. Hence, for these reasons, I am of the considered view that in this case the applicants deserves to be enlarged on bail.

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

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

Sd/-

(Rajendra Chandra Singh Samant)
Judge