

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3448 of 2018

- Shashikant Sahu S/o Shri Shiv Kumar Sahu Aged About 24 Years R/o Ward No. 7, Nearby Nakta Talab Abhanpur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Abhanpur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

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MCRC No. 4284 of 2018

- Shekhar @ Chandrashekhar Sinha S/o Baldau Sinha Aged About 20 Years R/o- Ward No. 7, Nearby Nakta Talab, Abhanpur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station Abhanpur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. B.L. Sahu, Advocate
For Respondent : Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/07/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. Both these applications filed under Section 439 of the Code of Criminal Procedure, 1973 are first bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.15/2018 registered at Police Station- Abhanpur, District – Raipur(C.G.) for the offence punishable under Sections 394, 34 of Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. They are in jail since 22.1.2018. No case is made out against them. Similarly placed co-accused has been granted regular bail in MCRC No. 2454/2018 vide order dated 10.5.2018 by this Court. Hence, it is prayed that they may be released on regular bail.
4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. The prosecution case is this, that on 21.1.2018 applicants and co-accused person had some dispute with complainant Sunny Dhruwa because of which the complainant was assaulted, beaten and his belongings some cash, one mobile were looted by this applicant along with co-accused person. Hence, this case.
7. As the charge-sheet has been filed, it appears that applicants have no criminal antecedents and also the co-accused person has been

granted regular bail by this Court, for these reasons, I am of this view that this is a fit case where the applicants should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a 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/-
(Rajendra Chandra Singh Samant)
Judge