

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3967 of 2018

1. Sahil Bareth S/o Goverdhan Bareth, aged about 22 years R/o Rajapara Ward No.3, Sakti, District- Janjgir-Champa (C.G.).
2. Krishna Kumar Upadhyay S/o Durga Upadhyay, aged about 22 years, R/o Ward No. 9, Ranisagar Para, Sakti, District- Janjgir-Champa (C.G.).

--- Applicants

Versus

State of Chhattisgarh, Through- Station House Officer, Police Station- Sakti, District- Janjgir-Champa (C.G.).

---- Respondent

For Applicant	:	Mr. Kamlesh Kumar Pandey, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

27/06/2018

1. The applicants have preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in connection with Crime No. 191/2018 registered at Police Station- Sakti, District- Janjgir-Champa (C.G.) for the offence punishable under Sections 394 and 341/34 of IPC.
2. As per prosecution story on 29/03/2018, complainant- Bhagwan Shankar lodged a report alleging therein that at about 10:00 pm, while he was returning from Kotmi, near Govt. Higher Secondary School, Nandeli, two persons came on motorcycle and assaulted him. They also looted one mobile and Rs. 1200/- cash from him. On the above report, offence was registered. During the course of investigation, one mobile and cash of Rs. 200/- was seized from the possession of

applicant- Sahil and Rs. 600/- cash was seized from the applicant/accused- Krishna. The applicants were arrested on 30/03/2018.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that the applicants are in custody since 30/03/2018, trial will likely to take some time and the offence is triable by the JMFC, therefore, the applicants may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the above facts and circumstances of the case, particularly considering that the applicants are in custody since 30/03/2018, trial will likely to take some time and the offence is triable by the JMFC , without further commenting on merit of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 10,000/- with one surety each for the like amount to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel