

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4047 of 2018**

1. Shabbir Kerketta, S/o. Shri Naresh Kerketta, Aged About 28 Years, R/o. Parsabhatha, Balco, Tahsil and District Korba Chhattisgarh.
2. Manbodh Sidar, S/o Late Shri Shyamji Sidar, Aged About 43 Years R/o. Parsabhatha, Balco, Tahsil And District Korba Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Lemru, District Korba Chhattisgarh.

---- Respondent

For Applicants	: Ms. Indira Tripathi, Advocate
For State/respondent	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****19/06/2018**

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.05/2018, registered at Police Station – Lemru, District – Korba (C.G.), for the offence punishable under Section 394/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in jail since 04.05.2018. Because of some dispute between the complainant and the applicants, totally a false FIR has been lodged against this applicants. Applicants are ready to abide by all the conditions imposed while enlarging them on bail. Hence, it is prayed that the applicants may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail

application and the submission made in this respect. It is submitted that investigation is continuing and the release of the applicants on bail at this stage would affect the progress the investigation of the case, therefore, the applicants are not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, both the applicants were in company of the complainant en-route to his village and then with dishonest intention they looted the cash amount of Rs.17,000/- and his cloths from his possession. Hence this case.
6. Considered on the submissions made and the contents of the case diary. It appears that this applicant do not have any criminal antecedents and apart from that the complainant and the applicants are related to each other. Taking into consideration all the facts and circumstances of this case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge