

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5238 of 2018**

1. Bharat Singh Chauhan S/o Suklal Chauhan, Aged About 26 Years R/o Mugadih, Siltara, Police Station Dharsiva, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Jaggu Kurre, S/o. Lekhram Kurre, Aged About 30 Years R/o Mugadih, Siltara, Police Station Dharsiva, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants**Versus**

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

---- Respondent

For the Applicants : Shri Vimlesh Bajpai, Advocate.
 For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.08.2018**

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.244 of 2018, registered at Police Station – Dharsiva, District Raipur, Chhattisgarh for the offence punishable under Section 394 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 12.06.2018 and have been falsely implicated in this case. No case is made out against the applicants on the basis of the material placed before

the Court by the prosecution. Hence, it is prayed that the applicants 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. It is alleged that on the date of incident both the applicants looted Rs.300/- cash and one mobile of complainant – Sajal Kanti Sahar and also looted Rs.150/- cash and one mobile of one Dilip Singh. On the basis of which, the FIR has been lodged.

6. Considered the material present in the case-diary. It appears that the applicants have no criminal antecedents and there is no requirement to keep the applicants in custody continuously till the end of all the proceedings. Hence, for these reasons, I am of the considered view that the present is a fit case where the applicants should be benefited with grant of regular 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. In case any default is committed by the applicant/s in

appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi