

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5233 of 2018**

1. Salim Shah S/o Bhanu Shah, Aged About 22 Years Resident Of Village Chidora, P. S. Kanshabel, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh
2. Majid Shah, S/o. Loja Shah, Aged About 20 Years Resident Of Village Chidora, P. S. Kanshabel, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through P. S. Kanshabel, District Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh.

---- Respondent

For the Applicants : Ms. Sareena Khan, Advocate.
 For the Respondent/State : Shri Ashok Swarnakar, 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.53 of 2018, registered at Police Station – Kanshabel, District Jashpur, Chhattisgarh for the offence punishable under Section 394/ 34 of the Indian Penal Code.
2. Learned counsel for the applicants submits that the applicants are in jail since 25.05.2018 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. The case against the applicants is that on the date of incident these applicants looted Rs.3,000/- cash and one mobile phone from complainants – Ajit Ekka and Bindiya Paikra.

6. Considering the submissions and the contents of the case-diary, taking into consideration the fact 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