

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5827 of 2018

- Rishi Mehta S/o Ravi Mehta Aged About 24 Years R/o Mangla Chowk, Ward No. 03, P. S. Civil Lines, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P. S. Civil Lines, District Bilaspur Chhattisgarh

---- Respondent

AND

MCRC No. 5879 of 2018

- Prashant Desani S/o Late Shri Vijay Shyamdasani Aged About 19 Years R/o- Kududand, Gali No. 01, Police Station- Civil Lines, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Its Station House Officer Police Station Civil Line Bilaspur

---- Respondent

For Applicant (in MCRC 5827/2018) : Mr. Rajeev Kumar Dubey, Advocate
For Applicants (in MCRC 5879/2018): Mr. Jitendra Nath Nande, Advocate
For Respondent : Mr. UKS Chandel, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

29/08/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in

connection with Crime No. 622/2018 registered at Police Station- Civil Line Bilaspur, Distt. Bilaspur (C.G.) for the offence punishable under Sections 294, 323, 327, 506 read with Section 34 of the IPC.

3. As per prosecution story, on 06-07-2018 at about 7:30 PM both the applicants came Nehru Nagar Garden and demanded money from Vishal Yadav and when he refused, he was beaten and threatened by the present applicants. On the basis of above, report was lodged by father of Vishal Yadav, offence has been registered and the applicants were arrested on 03-08-2018.
4. Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. The applicants are in custody since 03/08/2018, They further submit that the offence is triable by Judicial Magistrate First Class, charge-sheet is not filed yet and trial will likely to take some time to conclude, therefore, the applicants may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, particularly considering the fact that the applicants are in custody since 03/08/2018, offence is triable by JMFC and trial will likely to take some time to conclude, without further commenting on merit of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.

9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 10,000/- with one local solvent surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)
Judge**