

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6447 of 2018

- Shiva Singh & Anr. S/o Dilip Singh Aged About 22 Years R/o- Ward No. 14 Dharaula Mohalla, P.S. And Tahsil Shahdol, District- Shahdol, Madhya Pradesh., District : Shahdol, Madhya Pradesh
- Shriraj Singh S/o Narendra Sengar Aged About 20 Years R/o- Police Line, Shahdol, P.S.- Shahdol, District- Shahdol, Madhya Pradesh., District : Shahdol, Madhya Pradesh

---- Applicants

Versus

- State Of Chhattisgarh Through- Police Station- Baikunthpur, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

For Applicants	: Shri Chandresh Shrivastava, Advocate
For Respondent/State	: Shri Ravindra Agrawal, GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

27/09/2018

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.129/2018 registered at police station Baikunthpur, district Koriya (CG) for the offence punishable under Sections 392, 341 & 34 IPC and Section 25 & 27 of the Arms Act.

As per prosecution case, on 21.02.18, a report was lodged by the complainant alleging that a day before thereto, at 7.00 p.m. when she was returning home from the market, two persons who were on the motorcycle came near her and after showing the gun, snatched her purse in which she

was carrying ATM card, one samsung mobile cash of Rs. 500/-. After seeing the CCTV footage, report was lodge at the police station.

Counsel for the applicants submits that the applicants are students, they have been falsely implicated and the test identification parade conducted by the police is also doubtful. He submits that the applicants are in jail since 21.02.18 and the trial will take time for final disposal and therefore they may be released on bail.

On the other hand, learned counsel for the State opposes the bail application and submits that three similar cases are pending before the Court below.

Considering the totality of the facts and circumstances of the case, in particular the fact that already three cases are pending against the applicants, I am not inclined to release them on bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-
(Rajani Dubey)
Judge