

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6449 of 2018

- Shiva Singh & Anr. S/o Dilip Singh Baghel Aged About 20 Years ,
District : Shahdol, Madhya Pradesh
- Shriraj Singh S/o Narendra Sengar Aged About 20 Years R/o Police
Line, Vana Ganga Road, Ward No.12, Shahdol, Madhya Pradesh.,
District : Shahdol, Madhya Pradesh

----Applicants

Versus

- State Of Chhattisgarh Through Police Station, Piparia, District
Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham),
Chhattisgarh

---- Respondent

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

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

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.27/2018 registered at police station Aarakshi Kendra, Pipariyam district Kabirdham (CG) for the offence punishable under Sections 341,392 & 34 IPC.

As per prosecution case, after withdrawing amount of Rs. 48,000/- from the bank, the complainant was returning home in his motorcycle, on the way applicants looted the bag and ran away.

Counsel for the applicants submits that 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 16.04.18 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