

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.7485 of 2018**

Prashant Choubey, aged about 20 years, Son of Rupesh Choubey, R/o. Vasudeo Para Pithora, P.S. Pithora, District Mahasamund (CG)

---Applicant

Versus

State of Chhattisgarh, Through The Station House Officer, Police Station Pithora, District Mahasamund (CG)

---Non-Applicant

And**M.Cr.C.No.7824 of 2018**

Anil Vasudev son of Mohan Vasudev, aged about 20 years, resident of Indira Colony, Lakhagarh, Police Station-Pithora, Tahsil-Pithora, District-Mahasamund (CG)

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Pithora, District Mahasamund (CG)

---Non-Applicant

For Applicant	:	Mr.Vikas Pradhan, Advocate in M.Cr.C.No.7485/2018
For Applicant	:	Mr.Raghvendra Pradhan, Advocate in M.Cr.C.No.7824/2018
For Non-Applicant	:	Mr.Adi Raj Surana, Dy.G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

31/10/2018

1. Since the aforesaid two bail applications have been filed against the same crime number i.e. Crime No.121/2018, they are being disposed of by this common order.

2. These are the first bail applications 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.121/2018, registered at Police Station-Pithora, District-Mahasamund (CG), for the offence punishable under Section 394/34 of the IPC.

3. Case of the prosecution, in brief, is that the applicants and other co-accused persons robbed Rs.16,000/- and one mobile from complainant Jairatan Yadav and thereby committed the offence.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. They would further submit that the applicants are in jail since 18.7.2018 and charge-sheet has already been filed and no useful purpose will be served by detaining them in jail.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and the manner in which the applicants have robbed cash amount and mobile from the complainant, this Court is of the opinion that present is not a fit case, in which, the applicants should be enlarged on regular bail. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are rejected.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-