

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8063 of 2017

1. Manoj Dhuri S/o Shri Baldau Dhuri, Aged About 19 Years R/o Village Pendrideeh, Police Station Hirri, Civil And Revenue District Bilaspur Chhattisgarh, Chhattisgarh
2. Tuleshwar Dhurw, S/o Shri Budhram Dhurw, Aged About 19 Years R/o Village Pendrideeh, Police Station Hirri, Civil And Revenue District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Hirri, District Bilaspur Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Jyoti Rathore, Advocate.
For Non-applicant/State	:	Mr. V.B. Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-03-2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 219/2017, registered at Police Station- Hirri, District – Bilaspur(C.G.) for the offence punishable under Section 394 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicants are innocent and have been falsely implicated in this case. No case is made out against these applicants. Applicants are in jail since 24.11.2017. Both applicants are of tender age of 19 years and they have no criminal antecedents. Hence, it is prayed that they may be released on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the case of prosecution, on the date of incident four

unknown persons stopped the driver of trailer bearing registration No. CG-10-R-1761 and looted cash Rs.11,500/-, one mobile set, ATM card, Aadhar card and purse from the complainant. During investigation, in test identification Parade (TIP), both these applicants have not been identified by the complainant but some seizure was made from these applicants, for which, they have been arrayed as accused in this case.

6. As the applicants are of tender age of only 19 years at present and they do not have any criminal incident, for these reasons, I am of this view that this is a fit case where applicant, should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha