

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8231 of 2018

1. Rahul Pardhi S/o Neetkumar Pardhi Aged About 19 Years
R/o Village- Kusmi (Bahera), Police Station- Bemetara,
District- Bemetara, Chhattisgarh., District : Bemetara,
Chhattisgarh
2. Harish Pardhi S/o Neetkumar Pardhi Aged About 18 Years
R/o Village- Kusmi (Bahera), Police Station- Bemetara,
District- Bemetara, Chhattisgarh., District : Bemetara,
Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station- Bemetara,
District- Bemetara, Chhattisgarh., District : Bemetara,
Chhattisgarh

---- Respondent

For Applicants : Shri J.K. Gupta, Advocate
For Respondent/State : Shri Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

13.11.2018

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with Crime No.353/2018, registered at Police Station Bemetara, District Bemetara(CG) for the offence punishable under Sections 341, 395, 294, 506 of the IPC.
3. As per the case of prosecution, the applicants along with other co-accused persons stopped the Truck of the complainant and committed robbery of cash to the tune of Rs.6,000/-, one ATM card and 2 mobile phones.

4. Learned counsel for the applicants submits that 4 persons have been identified before filing of the charge sheet, therefore, offence under Section 395 of the IPC is not made out against the present applicants. He further submits that one of the accused is absconding, therefore, conclusion of trial will take sufficient time. He submits that the applicants are in jail since 08.7.2018. He prays for releasing the applicants on bail.

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

6. Perused the entire material available on record.

7. Considering the facts and circumstances of the case and the fact that 4 persons have been identified during investigation and one accused is absconding and trial will take sufficient time, I am inclined to release the applicants on bail.

8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE