

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 8637 of 2018

1. Rajkumar S/o Lakhanlal Rathore Aged About 25 Years R/o- Village- Sapia, Chowki-Faguram, Thana- Dhabra, District- Janjgir-Champa, Chhattisgarh.
2. Sunil S/o Bajrang Lal Rathore Aged About 22 Years R/o- Village- Sapia, Chowki-Faguram, Thana- Dhabra, District- Janjgir-Champa, Chhattisgarh.
3. Ajay S/o Bharatlal Rathore Aged About 25 Years R/o- Village- Sapia, Chowki-Faguram, Thana- Dhabra, District- Janjgir-Champa, Chhattisgarh.
4. Sanjay S/o Bharatlal Rathore Aged About 22 Years R/o- Village- Sapia, Chowki-Faguram, Thana- Dhabra, District- Janjgir-Champa, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The District Magistrate, District Janjgir Champa Chhattisgarh

---- Respondent

For Applicants	: Shri Hari Agrawal, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

30/11/2018

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 349/2018, registered at Police Outpost Faguram, Police Station Dhabra, Sakti, District Janjgir-Champa (C.G.) for the offence punishable under Section 394 & 201 of the IPC.
2. As per the prosecution story, on 23.08.2018, a written report was made by one Kashi Prasad, wherein, it has been alleged that when he was returning from his relative place from Kharsiya near Nahar Bridge, he was intercepted by four unknown persons, it was further alleged that they assaulted him with Besharam plant stick and looted Rs. 23,000/- and two mobile phones. On the basis of above, offence has been registered. During course of investigation on the basis of

memorandum statements of the present applicants some cash have been seized from their possession and they have been arrested on 25.08.2018. During test identification parade also complainant and other eye-witnesses have identified applicant No. 1, 3 & 4.

3. Learned Counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants have no criminal antecedents, they are in custody since 25.08.2018, charge-sheet has already filed and trial will take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicants have no criminal antecedents, they are in custody since 25.08.2018, charge-sheet has already filed and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge