

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8922 of 2018**

1. Anil Kumar Kushwaha S/o Late Dharohar Prasad Kushwaha Aged About 53 Years R/o Chadranagar Umarpoti, Post- Purai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Ravindra Kumar S/o Jageshwar Prasad Aged About 47 Years R/o Chandranagar Umarpoti, Post- Purai, Tahsil And District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, G.R.P. Bhilai-3, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicants : Shri T.K. Jha, Advocate.

For Non-applicant : Shri Neeraj Sharma, Dy. Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board**05.12.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 88/2018 registered at Police Station – G.R.P. Bhilai-3, outpost Charoda, District- Durg (C.G.) for the offence punishable under Section 384, 294, 506-B of the Indian Penal Code.
3. Case of the prosecution, in brief is that complainant J Bhaskar Rao is the track maintainer, technician Grade-I in Electrical Department Loco Shed, Charoda. On December, 2014 he had taken loan Rs. 1 lakh from the applicants. Applicants had taken from him his passbook, ATM Card, Signed blank Cheques, signed blank cheques of his wife, promissory note, plain papers, they were withdrawing amount from his account. They had given threatening to kill him and demanded cash.
4. Learned counsel for the applicants submits that applicants have no criminal background. They are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, and submits that one criminal case has been registered against applicant No. 1 Anil Kumar Kushwaha and two criminal case have been registered against applicant No. 2 Ravindra Kumar.
6. As per the true copy of the affidavit of complainant which is part of the bail petition the matter has been compromised and he has no objection on granting bail to the applicants.
7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if each applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE