

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 88 of 2019

1. Parmeshwar @ Pintu Sahu S/o Shri Sheetal Sahu Aged About 21 Years R/o Village Arjuni, Thana Dongargaon, District Rajnandgaon Chhattisgarh.
2. Khilendra @ Raju Sahu S/o Meghnath Sahu Aged About 23 Years R/o Village Arjuni, Thana Dongargaon, District Rajnandgaon Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Dongargaon, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicants : Shri Samir Singh, Advocate.
For Respondent/State : Shri Bhaskar Payashi, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/01/2019

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. 288/2018, registered at Police Station Dongargaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 394/34 of the IPC.
2. As per prosecution story, on 02.10.2018 the complainant namely Nirmala Sahu made a report wherein it has been stated that three persons entered into her house and made robbery of Rs. 5,000/- and also assaulted her. On the basis of said report, offence has been registered. During course of investigation, on the basis of memorandum statement of Applicants and one co-accused person namely Vijendra Rs. 1500 from each has been seized. The applicants are in custody since 18.10.2018.

3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that no test identification parade has been conducted by the prosecution, they are in custody since 18-10-2018 and trial will likely to take some time, therefore, they may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the fact and circumstances of the case, evidence collected by the prosecution and further considering the fact that the applicants are in custody since 18-10-2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant 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 amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge