

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1748 of 2019**

1. Loknath Bareth son of Hetram Bareth, aged about 27 years.
 2. Digeshwar Bairagi, son of Ghasiram, aged about 24 years.
- Both are resident of Village Ranpota, Police Station Hassaud, District Janjgir Champa (CG). **---- Applicants**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Hassaud, District Janjgir Champa (CG). **----Non-applicant**

For Applicants : Mr. Sachin Singh Rajput, Advocate.

For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**28.03.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no other bail applications are pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.18/2019 registered at Police Station Hassaud, District Janjgir Champa for the offence punishable under Sections 341, 392, 34 of Indian Penal Code.
3. Case of the prosecution, in brief is that the complainant Manoj Kumar Verma, who is a driver of vehicle bearing registration No.C.G.04-LC-7058 was transporting iron rod from Kasdol to Raigarh. On 20.01.2019 at about 4:00 a.m. near the village Ranpota, the applicants came there in Bolero vehicle bearing Registration No.C.G.11-BB-1530 and stopped the said complainant's vehicle and told that they are police men and looted Rs.400/- and Adhar Card from the said complainant.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely

implicated in the present case. Earlier, this Court has already granted bail to other co-accused persons Tikeshwar Nirala and Rahul Sahu on 20.02.2019 passed in M.Cr.C.No.913/2019 & M.Cr.C. No.1276/2019, respectively hence the applicants may be released on bail.

5. On the other hand, counsel for the State opposes the bail application. However, he submits that one criminal case under of IPC has already been registered against the applicant No.-2 Digeshwar Bairagi and no criminal antecedent against the applicant No.1-Loknath Bareth is reported in the police case diary.

6. The case of the present applicants is not more severer than other co-accused persons Tikeshwar Nirala and Rahul Sahu, who have already released on bail by this Court.

7. Looking to the above mentioned facts and circumstances of the case, the bail application is allowed. It is ordered that if the applicant No.1- Loknath Bareth furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum of Rs.25,000/- to the satisfaction of the concerned Trial Court and applicant No.2- Digeshwar Bairagi furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they shall not commit any such type of offence in future.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-