

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3968 of 2019**

Sunil Barle S/o Bharat Lal Barle Aged About 19 Years New Police Line,
Durg Chhattisgarh., District : Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg Chhattisgarh.,
District : Durg, Chhattisgarh.

--- Respondent

ALONG WITH**MCRC No. 3969 of 2019**

Goldy @ Gulshan Ambade S/o Shri Yashwant Ambade Aged About 20
Years Present Address Padmanabpu, New Police Line, Durg
Chhattisgarh, Permanent Address Village Badsena, police Station
Ambagarh Chowki, District Rajnandgaon Chhattisgarh., District :
Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg District Durg
Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri P.R. Patankar, Advocate
For the State	:	Shri Vikram Dixit, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**19/06/2019**

1. Admit.
2. These bail applications are second bail under Section 439 of CrPC. Earlier first bail applications were dismissed as withdrawn on 27/03/2019 in MCRC Nos. 1694/2019 and 1693/2019 respectively.
3. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.1091/2018 registered at Police Station Durg, District Durg (C.G.) for the offence punishable under Sections 394 & 201 of IPC.
4. Case of the prosecution, in brief is that on 16/12/2018 at about 22.52 hours to 23.01 hours, behind the Poultry Farm Khalsa Road School, Durg, complainant Dinesh Soni was going by his Activa. Four unknown persons reached there by two wheelers, one unknown person caused injury on head of complainant by wooden club. Thereafter all four unknown persons looted one bag from complainant containing Rs.17 Lakhs.
5. On the memorandum of applicant Sunil Barle one club, Rs.63,500/- were

seized from him.

6. On the memorandum of applicant Goldy @ Gulshan Ambade one motorcycle, one mobile and Rs.26,500/- were seized from him.
7. Learned counsel for the applicants submits that they are innocent and falsely implicated in the present case, therefore, they may be released on bail.
8. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
9. In the case in hand no Test Identification Parade has been conducted by the Investigating Officer during the investigation.
10. One co-accused Naveen Mandavi has been released on bail on 08/04/2019 in MCRC No. 1959/2019 by this Court. The case of applicants are not more severe than the case of co-accused Naveen Mandavi which has been released on bail, thus it is ordered that if the applicants furnishes one solvent surety for a sum of Rs. 25,000/- each along with a personal bond in the like sum to the satisfaction of the concerned 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 cooperate during the trial, they shall be released on bail.
11. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde