

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4583 of 2019**

- Sudhama Bareth, S/o Shri Ayodhya Bareth, Aged About 20 Years, Occupation- Laborer, R/o Village- Badpali, Police Station- Chakradhar Nagar, Tahsil And District- Raigarh, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through Station House Officer, Police Station- Chakradhar Nagar, Tahsil And District : Raigarh, Chhattisgarh

---- Respondent**MCRC No. 4750 of 2019**

1. Sanjay Yadav, S/o Chait Ram, Aged About 21 Years, R/o Village Badpali, P.S. Chakradhar Nagar, District : Raigarh, Chhattisgarh
2. Neelmani Yadav, S/o Rijhu Ram Yadav, Aged About 19 Years, R/o Village Hinjhar, Police Station Tamnar, District : Raigarh, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh, Through District Magistrate, Raigarh, District : Raigarh, Chhattisgarh

---- Respondent

For Applicant in MCRC No.4583/19 :	Shri Abhishek Saraf, Adv.
For Applicant in MCRC No.4750/19 :	Shri Kapil Mainai, Adv. On behalf of Shri Ashutosh Mishra, Adv.
For Respondent/State :	Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07.08.2019**

1. As these two applications (MCRC No. 4583/2019 and MCRC No. 4750/2019) under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants,

who are in custody since 30.04.2019 in connection with common Crime No. 127 of 2019, registered at Police Station Chakradhar Nagar, District - Raigarh, C.G., for the offence punishable under Sections 394 and 34 of the IPC, are being disposed off by this common order.

2. As per the prosecution case, in brief, is that on the date of incident the present applicant along with the other co-accused allegedly looted Rs.4000/- cash and one mobile phone from the complainant when he was in route between Pali and Pooja Dhaba. On the basis of complaint made by the complainant, police parties arrested the applicants.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case. He further submits that charge sheet has been filed and trial will likely to take some more time, therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of allegation levelled against the applicants, the fact that they are languishing in jail since 30.04.2019 and have no criminal antecedents, but without commenting anything on merits, I am inclined to release the applicants on regular bail.

7. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on bail on their furnishing a personal bond of Rs.25,000/- to each with one surety for the like sum to the satisfaction of the concerned Court for their appearance before it as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajani Dubey)
Judge