

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5134 of 2019

Nageshwar, S/o. Bedram, Aged About 28 Years, R/o. Chakabuda, P.S. Bakimongra, Tahsil Katghora, District- Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station – Dipka, District- Korba Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 5286 of 2019

1. Suraj, S/o. Pitambar, Aged About 34 Years, Caste Patel,
2. Vikash, S/o. Milaf Ram Patel, Aged About 19 Years,

Both are R/o. Village Chakabuda, Police Station Bankimongra, Tahsil Katghora, District Korba Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through : The Station House Officer, Police Station – Dipka, District- Korba Chhattisgarh.

---- Respondent

For Applicant (in M.Cr.C. No.5134/19) : Mr. Vikash Pandey, Advocate

For Applicants (in M.Cr.C. No.5286/19) : Mr. S.R.J. Jaiswal, Advocate

For Respondent/State : Mr. Roshan Dubey, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

04/09/2019

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.
2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.133/2019,

registered at Police Station – Dipka, District – Korba (C.G.) for the offence punishable under Section 392, 34 of the Indian Penal Code.

3. It is submitted by the learned counsels for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 10.07.2019. No case is made out against this applicants according to the material present in the case diary. The investigation in this case is almost completed. Therefore, it is prayed that the applicant may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, these applicants looted the complainant Ramesh Kanwar and Abhishek of their possession one mobile phone and cash of Rs.50/- after beating them. Hence, this case.
7. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary and these applicants do not have any criminal antecedents and the investigation in this case is nearly to complete subsequent to which, the applicants will face trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram