

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No.5827 of 2019**

1. Ashok Paswan & Anr. S/o Lalchand Paswan Aged About 34 Years R/o Village Bangawa, Police Station Rajnagar, Tehsil Kotma, District Anuppur, Madhya Pradesh.
2. Avinash Khatik S/o Ram Prasad Khatik Aged About 19 Years R/o Village Semra, Police Station Ramnagar, Tehsil Kotma, District Anuppur, Madhya Pradesh., District : Anuppur, Madhya Pradesh.

----Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Gourela, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Ashok Soni, Advocate.
For Respondent	:	Mr. B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/11/2019**

- 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. 200/2019 registered at Police Station – Gourela, District Bilaspur (C.G.) for the offence punishable under Sections 323, 392, 34 of IPC.
- According to the prosecution story, complainant Pankaj Kumar Pandey made a written complaint alleging therein that on 30.06.2019, four unknown persons threatened his driver of trailer (bearing registration No. CG 04 JC 5770) namely Ajay Kumar Mahto and looted Rs. 9,000/- from him. Thereafter, on 07.07.2019 again looted Rs. 2,000/- and one mobile phone. It was further alleged that on 30.06.2019, four unknown persons looted 150 litres diesel, two Jack Rods and Rs. 500/- from the

said driver Ajay Kumar Mahto. After completion of investigation applicants have been arrested.

- Learned counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are in custody since 07.08.2019 and trial will take some time, therefore, they may be released on bail.
- Per contra, learned counsel appearing on behalf of the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, the detention period of the applicants, the fact that the offence is triable by Judicial Magistrate First Class and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicants shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- each, with one 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/-
(Rajani Dubey)
Judge