

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6356 of 2019

1. Ankit Minj S/o Lawrence Minj Aged About 24 Years R/o Bansadih, Police Station- Bagicha, District- Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh
2. Ajit Lakra S/o Vishwanath Lakra Aged About 21 Years R/o Village- Rapakhairwa, Chainpur, Police Station- Manendragarh, District- Koriya At Present R/o Village- Bansadih, Police Station- Bagicha, District- Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station- Bagicha, District- Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Respondent

 For Applicants : Shri J.K. Saxena, Advocate
 For Respondent/State : Ms. Reena Singh, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey

Order on Board

26/11/2019

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.99/2019 registered at Police Station - Bagicha, District Jashpur(C.G.) for the offence punishable under Sections 392, 394, 506, 34 of the IPC.
2. It is the case of the prosecution that on 6.7.2019 complainant Uday Vijay Bhagat was returning to home on his motorcycle from Shankargarh to Kharpani Kansabel, at about 7.30 pm near Bansadih Bagicha, his motorcycle slightly dashed to one standing motorcycle and he fell down, then the present applicants started abusing and assaulted him and looted Rs.10,000/- cash, a mobile and his

motorcycle.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime and the complainant himself has dashed the standing motorcycle of the applicants and on their demanding money to repair the motorcycle the incident happened. He further submits that as the applicants are in custody since 09.7.2019 and the trial is likely to take some time for its final disposal, they may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and the offence is triable by Magistrate and they are in jail since 09.7.2019, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge