

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6689 of 2019**

- Arun @ Ajay Yadav, aged about 22 years, son of Punaaram Yadav, resident of village Mungeshar, Police Station – Mandir Hassaud, Tahsil & District Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station – Mandir Hassaud, District Raipur, Chhattisgarh.

---- Respondent**And****MCRC No. 6760 of 2019**

- Tukaram Yadav, aged about 21 years, son of Shyamlal Yadav, resident of village – Mungeshar, Police Station Mandir Hassaud, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station – Mandir Hassaud, District Raipur, Chhattisgarh.

---- Respondent**And****MCRC No. 6998 of 2019**

- Pappu @ Pawan Yadav, aged about 19 years, son of Vishnu Yadav, resident of village – Mungeshar, Police Station Mandir Hassaud, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through : Station House Officer, Police Station – Mandir Hassaud, District Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Shri Pradeep Singh Rathore, Adv.
For Respondent	:	Shri V.K. Agrawal and Ms. Akshara Amit, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****12/12/2019**

Heard.

1. Since the aforesaid bail applications arise out of same crime number, they are being disposed of together by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.413/2019, registered at Police Station – Mandir Hassaud, District Raipur (C.G.) for the offence punishable under Section 394/34 IPC.
3. The allegation against the applicants is that while complainant Rajendra Kumar was selling fish in weekly market, the applicants demanded fish from him to which he denied, thereafter, the applicants assaulted the complainant with hands and fists and also looted cash of Rs.6,000 -7,000/- which was kept in his bag. Based on this, offence has been registered. The applicants have been taken into custody on 07.09.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are young boy and their pretrial long detention would adversely affect their future career. He also submits that the applicants are in jail since 07.09.2019, the offence is triable by Magistrate and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
5. On the other hand, learned State counsel opposes the bail applications.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the

case, nature of offence and further considering the fact that the applicants are in jail since 07.09.2019, the offence is triable by Magistrate and the final disposal of the case may take some time, without further commenting on merits of the case, I am inclined to release them on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- - 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

Pekde