

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9711 of 2018**

1. Shailesh Toppo S/o Shantilal Toppo Aged About 19 Years R/o Near Parijat School, Devrikhurd, Police Station Torwa, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Naveen Kerketta S/o Piyush Kerketta, Aged About 22 Years R/o Hemu Nagar, Om Shanti Cartage, Bilaspur, Police Station Torwa, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Sakri, District Bilaspur Chhattisgarh

---- Respondent

For the Applicants	:	Shri Mateen Siddiqui, Advocate
For the State	:	Shri Sumit Jhawar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**16/01/2019**

1. This is the second bail application under Section 439 of the CrPC.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.350/2018 registered at Police Station Sakri, District Bilaspur (C.G.) for the offence punishable under Section 342, 395 of IPC.
3. First bail application was dismissed for want of prosecution on 01/12/2018.
4. Case of the prosecution, in brief is that on 07/10/2018 at about 11 p.m. near Uslapur bridge, applicants and other co-accused had beaten complainant Ashok Mishra and Pankaj Chaturvedi. Looted one purse containing Rs. 4500/-, two mobile phone sets. In Test Identification Parade complainant Ashok Mishra had identified the applicants.
5. Learned counsel for the applicants submits that they have innocent and falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application.

7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicants furnishes two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- each to the satisfaction of the concerned Court with the condition that they shall not involve in such type of crime in future, they shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde