

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9526 of 2018

1. Vedprakash @ Vickky Sahu S/o Basant Sahu Aged About 21 Years R/o Baygapara, Kurud, Police Station- Kurud, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh
2. Roshan @ Sonu Singh Rajput S/o Sunil Singh Aged About 19 Years R/o Atal Awash, Kurud, Police Station- Kurud, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Kurud, District- Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

And

MCRC No. 10080 of 2018

- Suraj @ Nikky @ Banti Chandrakar S/o Umesh Chandrakar Aged About 20 Years R/o Kurmipara Kurud, Police Station Kurud, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kurud, District Dhamtari Chhattisgarh., District : Dhamtari, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Sanjeev Kumar Sahu, Advocate.
For Non-applicant	: Shri S. Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

11.01.2019

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 439/2018 registered at Police Station – Kurud, District Dhamtari (C.G.) for the offence punishable under Section 392, 34 of IPC and 25, 27 Arms Act.
4. Case of the prosecution, in brief is that on 03.10.2018 at about 09:30 pm at Charraroad, Kurud, applicant Suraj @ Nikky @ Banti Chandrakar and two other coaccused stopped the Hywa No. CG 07 BL 2205 driven by complainant Vijay Kumar Sahu. One coaccused shown knife. They robbed two mobile sets cash Rs. 7200/-, driving licence, Adhar Card from the said complainant. On the memorandum of applicant Suraj @ Nikky @ Banti Chandrakar one knife was seized from him. On the memorandum of the applicant Vedprakash @ Vickky Sahu Rs. 700/- has been seized from him. In test identification period said complainant identified all the applicants.
5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.

6. On the other hand, learned counsel for the State opposes the bail application and submits that one criminal case has been registered against applicant Vedprakash @ Vickky Sahu under IPC, two criminal cases have been registered against applicant Suraj @ Nikky @ Banti Chandrakar out of which one under IPC and another under Arms Act and there is no antecedent against the applicant Roshan @ Sonu Singh Rajput.
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 each applicant among applicants **Vedprakash @ Vickky Sahu** and **Suraj @ Nikky @ Banti Chandrakar** furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail. if the applicant – **Roshan @ Sonu Singh Rajput** furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE