

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 53 of 2020**

1. Roshan Nishad S/o Vijay Nishad Aged About 28 Years R/o Gram Shubhash Chowk, Gariyabandh (C.G.) Police Station Gariyabandh, Tehsil And District - Gariyabandh Chhattisgarh.
2. Mukesh Kumar Bhoi S/o Mahendra Singh Bhoi Aged About 23 Years R/o Gram Shubhash Chowk, Gariyabandh (C.G.) Police Station Gariyabandh, Tehsil And District - Gariyabandh Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Gariyabandh, Gariyabandh Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Ajinesh Shukla, Advocate.
For Respondent	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****14.02.2020**

- The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 253/2019 registered at Police Station - Gariyabandh, District Gariyabandh (C.G.) for the offence punishable under Section 384/34 of IPC and Section 25 of Arms Act.
- The prosecution story in nutshell is that, a complaint was made by the complainant before the concerned police station alleging therein that 3-4 men armed with gun entered the house of the complainant describing themselves as Naxali and extorted money from the complainant. Based on that, after completion of investigation, offence has been registered against them, and they have been arrested.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that there is no previous antecedent against the applicants, they are in jail since 28.11.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the present applicants may also be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
- Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge

Vijay Sahu