

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 168 of 2020**

1. Manoj Kumar Kaushik S/o Mr. Sadhu Ram Kaushik, aged about 39 Years R/o Village Bafna, P. S. Kondagaon, District Kondagaon Chhattisgarh.
2. Rajesh Sahu S/o Atul Sahu Aged About 24 Years R/o Village Bafna, P. S. Kondagaon, District Kondagaon Chhattisgarh.
3. Pardeshi Yadav S/o Shri Sukhram Yadav Aged About 20 Years R/o Village Bafna, P. S. Kondagaon, District Kondagaon Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Kondagaon, District Kondagaon Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Raza Ali, Advocate.
For Respondent	:	Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.03.2020**

- 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. 308/2019 registered at Police Station - Kondagaon (C.G.) for the offence punishable under Sections 341, 394 of the IPC.
- The prosecution story in nutshell is that, a complaint was made by the complainant before the concerned police station. As per the complaint, on 22.11.2019, complainant, who is a salesman of Shri Jagannath Provisions Store, was returning along with his friend from Umarkot, at that time, at about 8 o'clock, the present applicants with other co-accused person came there, forcefully stopped the car, committed mar-peat with the complainant and looted Rs. 4,80,000/- from

him. Based on that, after investigation, offence has been registered and the applicants 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 the other co-accused person namely Sandeep Yadav has already been granted bail by this Court on 03.02.2020 in MCRC No. 8162 /2019, they are in jail since 23.11.2019 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 and particularly the fact that the co-accused has been granted bail by this Court, 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