

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 798 of 2020**

1. Sanjay Tiwari S/o Shri Shravan Tiwari Aged About 29 Years R/o Subhash Nagar, Durg, Tahsil And District Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Ishwar Tiwari S/o Shri Vashist Tiwari Aged About 31 Years R/o Ward No. 13, Mohan Nagar, Durg, Tahsil And District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Petitioners**Versus**

- State Of Chhattisgarh Through Police Station Mohan Nagar, Durg, District Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri T.K. Jha, Advocate
For Respondent	:	Shri Wasim Miyan, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****17/03/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they is arrested in connection with Crime No.398/2019, registered at Police Station – Mohan Nagar, Durg, District Durg (C.G.) for the offence punishable under Sections 394 IPC.
2. The prosecution story, in brief, is that on 03.11.2019 at 10.30 pm, the applicants looted the key of motorcycle, some cash, aadhar card and ATM card from the complainant and also caused injury to him. During investigation and on tip-off, the accused/applicants were arrested and looted cash was seized from them. Based on this, offence has been registered against them and they have been taken into custody on 04.11.2019.

3. 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 ready to furnish adequate surety and shall abide by all the directions and conditions, which may be imposed by this Court. He also submits that the applicants are in custody since 04.11.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicants are in custody since 04.11.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge