

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 229 of 2020**

- Deepak Singh Chauhan S/o Nirmal Singh Aged About 25 Years R/o Fokatpara, Shastri Nagar, P. S. Devendra Nagar, District Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through - P. S. G. R. P. District Raipur, Chhattisgarh.

---- Respondent**MCRC No. 833 of 2020**

1. Hemant Sikka @ Tinku And Ors. S/o Mannulal Sikka Aged About 19 Years R/o Geemurti Nagar, Near Shiv Mandir, Devendra Nagar, District Raipur, Chhattisgarh.
2. Akash Chandra Bagh @ Bhakka S/o Bablu Chand Bagh Aged About 21 Years R/o Durga Nagar, House No. 365, Devendra Nagar Sector - 4, District Raipur, Chhattisgarh.
3. Mangal Tandi S/o Gulabo Tandi Aged About 22 Years R/o Jagriti Nagar, Gali No. 326, Devendra Nagar, District Raipur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through - Police Station G.R.P. District Raipur, Chhattisgarh.

---- Respondent**MCRC No. 1434 of 2020**

- Ashik Vibhar S/o Shri Banshi Vibhar Aged About 20 Years Resident Of House No. 21/1228, Trimurty Nagar, Shiv Chandi Mandir Gali, Police Station Devendra Nagar, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station G.R.P. Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Devershi Thakur, Adv. in MCRC Nos. 229/2020 & 833/2020. Mr. C. R. Sahu, Adv. in MCRC No. 1434/2020.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/02/2020**

1. The accused/applicants have moved these first bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 297/2019 registered at Police Station G.R.P., District-Raipur (C.G.) against the applicant Ashik Vibhar in MCRC No. 1434/2020 for the offence punishable under Sections 394 and 395 of IPC and against the applicant Deepak Singh Chauhan in MCRC No. 229/2020 and against the applicant No. 1 Hemant Sikka @ Tinku, applicant No. 2 Akash Chandra Bagh @ Bhakka and applicant No. 3 Mangal Tandi in MCRC No. 833/2020 for the offence punishable under Section 394 of IPC.
2. The prosecution story, in brief is that, the complainant Kartik Naidu filed a written complaint that he had gone along with 14 cricket players to Mahasamund for playing cricket match. When they were returning from Mahasamund by passenger train, the train stopped before the Raipur Railway Station. When those all players were talking with one-another at that time, one of the applicants, who was talking over phone, started hurling abuses to the players and when Sumit Agrawal stopped the applicants to do so, the applicants started assaulting them with help of club and sharp edged weapon due to which they sustained grievous injuries. Applicants also snatched mobile phones of Sumit And Vaibhav. Thereafter, they made a complaint before G.R.P., Raipur. Based on this, after investigation, offence has been registered against the present applicants.
3. Learned counsels for the applicants submit that the applicants are innocent and has been falsely implicated in the crime in question. They further submit that there has been no seizure from the applicants and main allegation is against the applicant Hemant Sikka. They next submit that applicants are in jail since 19.11.2019 and 31.12.2019, there is no likelihood

of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application submitting that the applicants did a very heinous crime, assaulting the cricket players and also looted them in a public place, all accused persons are identified by the complainant in TIP, so, it is not a fit case to release them on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release them on bail.
7. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are rejected.

**Sd/-
(Rajani Dubey)
Judge**