

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 1684 of 2020

1. Rustam Ansari, S/o. Ramzan Ansari, aged about 23 years,
 2. Suraj Ram alias Budi, S/o. Ram Narayan, aged about 18 years,
- Both are R/o. Village Belpahad, Jashpur, District Jashpur Chhattisgarh.

---- Applicants

Versus

State of Chhattisgarh, Through : The Police Station : Jashpur, District Jashpur Chhattisgarh.

---- Respondent

For Applicants	: Mr. S.S. Baghel, Advocate
For Respondent/State	: Mr. V.R. Tiwari, Addl. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

15/05/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.314/2019, registered at Police Station – Jashpur, District – Jashpur (C.G.) for the offence punishable under Section 395/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants. The applicants are in jail since 08.11.2019. Charge-sheet in this case has been filed and the trial of the case is

likely to take some time. The applicants do not have any criminal antecedents and they have also not been identified by the victim in the test identification parade. Hence, it is prayed that the applicants may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. These applicants along with three other accused persons looted the victim and robbed Rs.16,000/- in cash. Hence this case.
6. Considering that these applicants have not been identified in test identification parade and also that there does not appear to be any criminal antecedents of these applicants, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge