

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3459 of 2020**

- Mohammad Rashid Khan alias Lunku, S/o Wahid Ali, aged about 33 years, R/o Village Belpahad Jashpur, District Jashpur (C.G.)

---- Applicant

**Versus**

- State of Chhattisgarh Through the Police Station Jashpur, District Jashpur (C.G.)

---- Respondent

**With****MCRC No. 3973 of 2020**

- Sarfaraz Khan, S/o Mohd. Taj, aged about 18 years, Caste- Muslim, R/o Village Belpahad, P.S. Jashpur, District Jashpur (C.G.)

---Applicant

**Versus**

- State of Chhattisgarh, Through the Station House Officer, Police Station Jashpur, District Jashpur (C.G.)

----Respondent

---

|                      |   |                            |
|----------------------|---|----------------------------|
| For Applicants.      | : | Mr. S.S. Baghel, Advocate. |
| For Respondent/State | : | Mr. Ravindra Verma, G.A.   |

---

**Hon'ble Smt. Justice Rajani Dubey****Order on Board****13.07.2020**

1. Heard on admission.
2. Admit.
3. The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail 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 IPC.

4. The prosecution story in brief is that, on 02.11.2019, the complainant Manish Bhagat along with his friends were returning from Belpahad Temple, it has been alleged that the present applicants along with other co-accused persons armed with sticks surrounded them and further assaulted them and looted Rs. 16,400/- from them. Based on that offence has been registered against the applicants and they have been arrested.
5. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that the other co-accused have already been granted bail by this Court on 15.05.2020 passed in MCRC No. 1684/2020, therefore, the present applicants may be granted bail. He also added that they are in jail since 08.11.2019 and they are ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, they may be released on bail.
6. On the other hand, State counsel strongly opposes the bail application.
7. I have heard learned counsel for the parties and perused the record.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering that the co-accused persons have already been granted bail by this Court, as the applicants are in jail since 08.11.2019 and 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 applications are allowed.

9. 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