

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4501 of 2020**

1. Hirdu Kumeti, S/o Mehattar Kumeti, Aged about 26 years, R/o Bandhapara, PS Kondagaon, District Kondagaon (C.G.)
2. Onkar Kumeti, S/o Mehattar Kumeti, Aged about 19 years, R/o Bandhapara, PS Kondagaon, District Kondagaon (C.G.)
3. Dholendra Baghel, S/o Ledu Ram, Aged about 21 years, R/o village Polang, PS Kondagaon, District Kondagaon (C.G.)

---- Applicants**Versus**

State of Chhattisgarh, Through- Police Station Orcha, District Narayanpur (C.G.)

---- Respondent

For Applicants	:	Mr. Lukesh Kumar Mishra, Advocate.
For Respondent/State	:	Mr. Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/08/2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 12/2019 registered at Police Station- Orcha, District- Narayanpur (C.G.) for the offence punishable under Sections 341, 392, 34 of the IPC and under Sections 25 and 27 of the Arms Act.
2. As per the prosecution case, on 14.08.2019, the complainant Lamku Baghel lodged complaint before PS Ghaudai, District Narayanpur (C.G.) that on 31.07.2019 at about 09:00 am when he was going to Orcha market, four unknown persons, wearing masks on their faces stopped him near bridge of Rainar India Gate and pointed Desi Katta (country made pistol) on him and took him 50 meters inside jungle and demanded five lakhs from him and picked Rs. 1500/- from his pocket and asked him to move from there and after that on 14.08.2019 the complainant lodged the report at police station.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that from the documents Dehati Nalisi and FIR, it is not apparent that the informant herself was not aware about identity of the assailants and the applicants have been falsely implicated in the present case. He next submits that the all applicants are in jail since 05.11.2019, 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 and submits that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant them bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the offences are triable by Judicial Magistrate First Class and they are in jail since 05.11.2019 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 application is allowed.
7. 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 trial Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge