

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4756 of 2020**

1. Ajay Sonwani S/o Late Kanhaiyalal Sonwani aged about 30 years, R/o Shitlapara village Mujgahan, Tehsil & District-Dhamtari, Chhattisgarh.
2. Timendra @ Billu S/o Late Bharat mahar aged about 20 years, R/o Village Ratnabandha Dhamtari, Tehsil & District-Dhamtari, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through - the S.H.O., Police Station City Kotwali Dhamtari, District-Dhamtari, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Avinash Chand Sahu, Adv.
For Respondent/State	:	Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****15/09/2020**

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. 196/2020 registered at Police Station City Kotwali, District-Dhamtari (C.G.) for the offence punishable under Sections 341, 294, 323, 356, 379, 392, 506, 34 of the IPC.
2. The prosecution story, in brief is that, on 08.05.2020 at about 11:30 O'clock, when the complainant was going near Hatkeshar wine shop the present applicants came there, threatened to the complainant and looted Rs. 1,500/- from him. Based on this offence has been registered against the present applicants.
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 there is no eye-witness of the case and proper identification has not been done by the prosecution. He also submits that the applicants are in jail since

17.06.2020, 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 there is a seizure of knife from the applicant Ajay Sonwani and applicant Timendra @ Billu has been identified in the TIP parade. Therefore, no case is made out for grant of 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 that the applicants are in jail since 17.06.2020, 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/- 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**