

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4868 of 2020**

1. Hemant Sikka @ Tinku, aged 19 years S/o Mannulal Sikka, R/o village Geemurti Nagar Near Shiv Mandir, Devendra Nagar, District Raipur (C.G.).
2. Akash Chandra Bagh @ Bhakka, age 21 years, S/o Babloochoand Bagh, R/o Durga Nagar, House No.365, Devendra Nagar Sector 04, District Raipur (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh Through : P.S. - G.R.P., District Raipur (C.G.)

---- Respondent

For Applicants	:	Shri Devershi Thakur, Advocate
For State/Respondent	:	Shri Rahul Jha, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/09/2020**

1. The applicants have preferred this second bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.297/2019, registered at Police Station - G.R.P., District Raipur (C.G.) for the offence punishable under Sections 394 and 395 IPC.
2. The allegation against the applicants is that they snatched mobile phone of complainants and assaulted them when the train stopped for one hour before Raipur railway station while they were returning from Mahasamud to Raipur after playing cricket match. Based on this, offence has been registered. The present applicants have been taken into custody on 19.11.2019.
3. Learned counsel for the applicants submits that the

applicants are innocent and have been falsely implicated in the case. He further submits that the complainant has compromised the matter and affidavit to this effect has been submitted by him before the trial Court. He also submits that the applicants are in custody since 19.11.202019 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the complainant has compromised the matter with the applicants, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed, till the disposal of trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge