

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5321 of 2020**

1. Sanjay Chandravanshi S/o Komal Prasad aged about 27 years, R/o Village-Kanjheta, Police Station-Pandatarai, Tahsil-Pandariya, District-Kabirdham, Chhattisgarh.
2. Deepchand chandravanshi S/o Sushil Chandravanshi aged about 28 years, R/o Village-Kanjheta, Police Station-Pandatarai, Tahsil-Pandariya, District-Kabirdham, Chhattisgarh.
3. Mukesh Chandravanshi S/o Uderam Chandravanshi age about 23 years, R/o Infront of Ganesh mandir, Ward No. 11 Kawardha, Police Station and Tahsil-Kawardha, District-Kabirdham, Chhattisgarh.

**---- Applicants****Versus**

- State Of Chhattisgarh, Through - District Magistrate, Kabirdham, Chhattisgarh.

**---- Respondent**


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| For Applicants       | : Mr. Dharmesh Srivastava, Adv. |
| For Respondent/State | : Mr. H. S. Ahluwalia, Dy. A.G. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****18/09/2020**

1. The matter is listed for hearing on I.A. 04/2020, for grant of interim/temporary bail.
2. Learned counsel for the applicant wants to withdraw I. A. No. 04/2020 and prays for final hearing of the bail application.
3. Accordingly, I.A. No. 04/2020 is dismissed as withdrawn.
4. With the consent of the parties, the matter is heard finally.
5. 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. 135/2020 registered at Police Station Pandatarai, District-Kabirdham (C.G.) for the offence punishable under Sections 394, 414 and 120-B of the IPC.

6. The prosecution story, in brief is that, on 08.07.2020 the other co-accused persons namely Dilip Chandravanshi, Narayan Chandravanshi and Manoj kashyap planned to commit robbery of the property of Rice Mill Director namely Dilip Agrawal of village Newari. It is alleged that as per the plan conspired between Dilip Chandravanshi, Narayan Chandravanshi and Manoj Kashyap on 09.07.2020 when the co-accused Manoj Kashyap along with one Paras left to Bilaspur by motor-cycle with a cash of Rs. 71,56,000/- the motor-cycle was stopped between Junglepur and village Khairwar, chilly powder was put in the eyes of the Manoj Kashyap, the offender showed them pistol and on the point of pistol the entire cash amount was looted from them. Further, from possession of the present applicant No. 1 a sum of Rs. 17,00,000/-, from the applicant No. 2 a sum of Rs. 15,00,000/- and from the applicant No. 3 a scooty and a sum of Rs. 17,00,000/- have been seized. Based on this offence has been registered against the present applicants and other co-accused persons.
7. 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 the main allegation is against the other co-accused persons and on the basis of memorandum statement of the co-accused persons the present applicants were taken into custody. He next submits that the applicants are in jail

since 11.07.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

8. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicants is of serious in nature; therefore, no case is made out for grant of bail.
9. I have heard learned counsel for the parties and perused the case diary.
10. 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 main allegation is against the other co-accused persons. The applicants are in jail since 11.07.2020, 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.
11. 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/remand Court. They are directed to appear before the trial/remand Court on each and every date given to them by the said Court.

Certified copy today itself.

**Sd/-  
(Rajani Dubey)  
Judge**