

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6050 of 2020**

1. Sharma Barai, S/o. Late Nehru Barai, Aged 24 Years, R/o. Motisagar Para, Korba, District – Korba (CG)
2. Dinesh Sahu, S/o. Taimpo Sahu, Aged 22 Years, R/o. Kuchaina, P.S. - Kusmunda, Korba, District – Korba (CG)

**---- Applicants**

**Versus**

- State Of Chhattisgarh, Through Outpost C.S.E.B., Korba, PS – Kotwali Korba, District – Korba (CG)

**---- Respondent**

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| For Applicants       | : | Shri Mirza Keshar Beg, Advocate. |
| For Respondent/State | : | Ms. Veena Nair, Dy. A.G.         |

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**Hon'ble Shri Gautam Chourdiya,**

**Order on Board**

**27/11/2020**

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No.559/2020 registered at Police Station – Outpost C.S.E.B. Korba, PS – Kotwali Korba, District – Korba (CG) for the offence punishable under Sections 457, 380, 411, 34 IPC.
2. As per prosecution case, the applicants have committed robbery by breaking open the lock of the pump house and stolen the transformer cable, cable box, copper-wire, lead-wire and other parts.

3. Counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and that the similarly situated co-accused namely Mohammad Abu Nasar, Meer Abdul Hasan and Mohd. Mustak @ Gudda have already been granted regular bail by common order passed by the co-ordinate Bench of this Court vide order dated 19.08.2020 passed in MCRC No.5262/2020, MCRC No.5185/2020, & MCRC No.5270/2020 respectively. He submits that the applicants are in jail since 16.07.2020 and the trial is likely to take some time for its final disposal, therefore, they be released on bail.
4. On the other hand counsel for the State opposes the bail application.
5. Having heard counsel for the parties, considering the facts and circumstances of the case, in particular the nature of allegations against the applicants and the fact that the similarly situated co-accused have already been released on regular bail by the co-ordinate Bench, I am inclined to release them on regular bail. Accordingly, their application filed under Section 439 of the Code of Criminal Procedure is allowed.
6. It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs.1,00,000/- with one surety each for the like sum to the satisfaction of the concerned Court, they shall be released on bail. They are also directed to appear before the trial Court on each and every date given to them by the said Court, till disposal of the trial.

7. It is made clear that the applicants shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

Sd/-

**(Gautam Chourdiya)**  
**Judge**

Ravi M.