

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6061 of 2020

- Kishor Baghel S/o Santosh Baghel Aged About 18 Years Resident Of Village Nayakbandha, Police Station Abhanpur, District Raipur Chhattisgarh. **---- Applicant**

Versus

- State Of Chhattisgarh Through It's Police Station Abhanpur District Raipur Chhattisgarh. **---- Respondent**

MCRC No. 6278 of 2020

- Bharat Dahariya S/o Deva Das Dahariya Aged About 19 Years At Village Nayakbandha, Police Station Abhanpur, District Raipur Chhattisgarh. **---- Applicant**

Versus

- State Of Chhattisgarh Through Police Station Abhanpur, District Raipur Chhattisgarh. **---- Respondent**

For Applicants	:	Shri Rekhraj Baghel and Shri Lukesh Kumar Mishra, Advocates
For Respondent/State	:	Shri Dinesh Tiwari, Dy.G.A.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

01/12/2020

- 1) The aforesaid two applications are being disposed of by this common order as all these applications arise out of same crime number.
- 2) The applicant namely Bharat Dahariya was arrested on 03/07/2020 and another applicant Kishore Baghel was arrested on 04/07/2020. They moved these applications for grant of bail in connection with Crime No.256/2020, registered at Police Station- Abhanpur, District- Raipur (C.G.) for the offence under Section 392 of Indian Penal Code.
- 3) Prosecution case is that the present applicants alongwith other co-accused looted one mobile handset, cash of Rs. 250/- and assaulted the complainant Narendra Sahu on 01.07.2020 at about 9.00 pm near Urla Mod. Thereafter, the report was lodged.
- 4) Learned counsel for the applicant submits that the allegations against

the present applicants are false and fabricated. They are not involved in the alleged commission of offence. The co-accused namely Aakash Markam has already been released on bail vide order dated 01.09.2020 in MCRC No. 4763 of 2020. He further submits that the present applicants are arrested by police on the basis of suspicion. He next submits that police was not seized mobile phone from possession of the present applicants, therefore, at this stage, they may be released on bail.

- 5) On the other hand, learned State Counsel opposes the prayer for grant of bail and submits that the present applicants are habitual offender and they are involved in the present case.
- 6) Having considered the submission made by learned counsel for the parties, particularly taking into consideration the material on record and that there is no specific injury reported in the medical report and further that the co-accused Aakash Markam has already been granted bail by this Court and they are in jail since 3/07/2020 and 4/07/2020, therefore, at this stage, I am inclined to grant bail to the present applicants.
- 7) Accordingly, the bail application is allowed. It is directed that in the event each of the applicants executing their personal bond for a sum of Rs. 50,000/- with two sureties of Rs. 25,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-
 - (a) They shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
 - (b) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - (c) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - (d) They shall not involve themselves in any offence of similar nature in future.

Sd/-

(Gautam Chourdiya)
Judge