

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5726 of 2020**

1. Salman Khan Son Of Maksur Khan Aged About 22 Years Resident Of Village Chandipara, Ward No. 14, P.S. Pamgarh, District Janjgir Champa Chhattisgarh.,
 2. Aaryan Lahre Son Of Devkumar Lahre Aged About 20 Years Resident Of Village Ward No. 03, Gudipara, Pamgarh, P.S. Pamgarh, District Janjgir Champa Chhattisgarh.,
- Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Pamgarh, Civil And Revenue District Janjgir Champa Chhattisgarh.,

---- Respondent

For Applicants	:	Mr. Pushpendra Kumar Patel, Advocate.
For State	:	Mr. Dinesh Tiwari, Deputy Govt. Advocate

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

25-11-2020

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as they are in jail since 30-07-2020 in connection with Crime No. 220 of 2020 registered at Police Station Pamgarh, Civil and Revenue District Janjgir Champa (CG) for the offence punishable under Section 395 of IPC.
2. The allegation against the present applicants is that on 9-7-2020 when the complainant Monu Agrawal was going by his motor -cycle bearing registration No. CG-13-B --0107 from Bilaspur to Sarangarh, at that time present applicants along with other co-accused came on two motor-cycle and stopped the complainant on the way. Thereafter, they assaulted the complainant and looted amount of Rs.32,000/- from

his pocket and Rs.90,000/- from his bag and thereafter they fled away from the spot and thereby the applicants have committed the aforesaid offence.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question..He further submits that prosecution has not collected the sufficient material regarding loot of the said article. The applicants have not committed any offence and only on the basis of memorandum of the complainant, the applicants have been arrested by Police. He further submits that charge sheet has been filed in this case, the applicants are in custody since 30-7-2020 and trial is likely to take some time for its disposal, therefore, the applicants may be released on bail.
4. On the other hand, learned counsel for the respondent/State opposes the bail application.
5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and further considering the nature of offence in which manner the applicants looted money from the complainant, I am of the opinion that it is not a fit case to grant bail to the applicants.
6. Accordingly, the instant bail petition is liable to be and is hereby dismissed.

Sd/-

(Gautam Chourdiya)
Judge

Raju