

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6248 of 2020**

- Tridev Koshley S/o Shri Mahendra Koshley Aged About 35 Years R/o Village - Devori, Tahsil Mungeli, District - Mungeli (CG). ---- **Applicant**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Kukdur, Civil And Revenue District Kabirdham (CG).---- **Respondent**

MCRC No. 6432 of 2020

- Pawan Koshley S/o Shri Deenbandhu Koshley Aged About 32 Years R/o Village - Devori, Tahsil Mungeli, District - Mungeli (CG).
- Basant Banjara S/o Shri Rajkumar Banjara Aged About 25 Years R/o Village - Devori, Tahsil Mungeli, District - Mungeli (CG).---- **Applicants**

Versus

- State of Chhattisgarh through the Station House Officer, Police Station Kukdur, Civil And Revenue District Kabirdham (Chhattisgarh), District : Kawardha (Kabirdham), Chhattisgarh ---- **Respondent**

MCRC No. 7138 of 2020

- Kheman Singh Purale S/o Shri Jay Chand Purale Aged About 37 Years R/o Village Devari , Tahsil Mungeli , Civil And Revenue District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh ---- **Applicant**

Versus

- State of Chhattisgarh through The District Magistrate Kabirdham , Civil And Revenue District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh ---- **Respondent**

For Applicants in : Mr. Rakesh Pandey and
M.Cr.C.Nos. 6248/2020 & : Mr. K.P.S. Gandhi, Advocates.
6432 of 2020.

For Applicant in M.Cr.C. : Mr. Parasmani Shriwas, Advocate
No. 7138 of 2020.

For State : Mr. B.P. Banjare, Dy. Govt. Adv.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

03-12-2020

1. Since the aforesaid three cases arise out of same Crime No.84 of 2020, they are heard analogously and are being disposed of by this common order.
2. The applicants have preferred these first bail applications under Section 439 of Cr.P.C. as they are in custody in connection with Crime No.84 of 2020 registered in Police Station - Kukdur, District Kabirdham (CG) for the offence punishable under Sections 170, 294 and 394 of IPC.
3. The case of the prosecution is that on 7-8-2020 the driver/complainant had parked the Truck on the road side to take rest, at the same time, all the appellants came there through Car Tata Tigor bearing registration No. CG 28 J 4459 and started abusing, assaulted them and looted Rs.1000/- from them and thereafter they fled away by car, thereby the aforesaid offence has been committed.
4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question and no injury was found on the body of the complainant. He further submits the applicants have been arrested on the basis of suspicion and they are languishing in jail since 8-8-2020, 9-2-2020 and 20-8-2020 and conclusion of the trial is likely to take some time, therefore, they may be granted bail.

5. On the other hand, learned counsel for the State opposes the bail applications.
6. I have heard learned counsel for the parties and perused the record.
7. Considering the facts and circumstances of the case, nature of allegations levelled against the applicants and further considering the detention period of the applicants and the fact that conclusion of the trial may take some time, without expressing any opinion on merits of the case, the applications are allowed. It is directed that all the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with two equivalent sureties for the like amount to the satisfaction of the concerned trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court, till disposal of the trial.
8. 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

Raju