

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6464 of 2020

1. Saranji S/o Shivprakash Toppo Aged About 27 Years Occu-Agriculture, R/o Village Kot, Mahua, P.S. And Tehsil Bagicha, District : Jashpur, Chhattisgarh
 2. Yakub Lakra S/o Sukhsai Lakra Aged About 24 Years Occu-Agriculture, R/o Village Dharampur, P.S. And Tehsil Sitapur, District : Surguja (Ambikapur), Chhattisgarh
- Applicants**

Versus

State of Chhattisgarh Through Station House Officer, P.S. Batouli, District Surguja (Chhattisgarh), District : Surguja (Ambikapur), Chhattisgarh

--- Respondent

For the applicant	: Mr. Sakti Raj Sinha, Advocate
For the State	: Mrs. Richa Shukla, Dy.Govt. Adv.

MCRC No. 6649 of 2020

Anugrah Kindo S/o Habil Kindo Aged About 39 Years R/o Village Pathalgaon High School Colony, P.S. And Tahsil Pathalgaon District Jashpur Chhattisgarh Currently Residing At Village Saraipani P.S. And Tahsil Bagicha District Jashpur Chhattisgarh.

--- Applicant

Versus

State of Chhattisgarh through S.H.O. Police Station Batouli, District : Surguja (Ambikapur), Chhattisgarh

--- Respondent

For the applicant	:	Mr. Dev Ashish Biswas, Advocate
For the State	:	Mrs. Richa Shukla, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2020

1. These are two bail applications filed for the first time under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No.63/2020 registered at Police Station Batouli, Distt. Surguja for the offences punishable u/ss 394, 427, 34 of IPC. Since both the applications are relating to the

same crime number, they are disposed of by this common order.

2. As per the prosecution case, on 18.7.2020 the applicants assaulted the Truck driver namely Jacob who is resident of Rajasthan and thereafter looted the truck and money from him and caused damage to the front glass of the Truck.
3. Learned counsel for the applicants would submit that the charge sheet has been filed, the applicants have not been identified and the FIR only contains the name of accused Anugraha Kindo. He further submits that when the complainant is the resident of Rajasthan, how he disclosed the name of Anugraha itself is completely fishy. He submits that it is only on the road race the incident happened, which was turned into offence. He further submits that the applicants are in jail since 19.07.2020 and charge sheet has been filed, therefore, the applicants may be enlarged on bail.
4. On the other hand, learned State Counsel opposes the bail application.
5. Perused the case diary documents. Considering the nature of evidence collected and the memorandum statement etc., as also the fact that the charge sheet has been filed and the applicants are in jail since 19.07.2020, I am inclined to allow the bail applications.
6. Accordingly, this applications are allowed and the applicants Saranji , Yakub Lakra and Anugrah Kindo are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**