

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6391 of 2020**

1. Parmeshwar Yadav & Anr. S/o Ghurwa Aged About 19 Years Resident Of Village Bhavarpur, Thana Sarangarh, District Raigarh Chhattisgarh.
2. Rambabu Chouhan S/o Bajrang Aged About 20 Years Resident Of Village Bhavarpur, Thana Sarangarh, District Raigarh Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Singhoda, District Mahasamund Chhattisgarh.

---- Respondent**along with****MCRC No. 7363 of 2020**

- Surendra Patel S/o Shri Doctorlal Patel Aged About 30 Years Caste- Aghariya, R/o Village Bhanwarpur, Police Station Sarangarh, Tahsil Sarangarh, District Raigarh, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Singhoda, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant : Mr. Vikash Pradhan and Mr. Roop Naik, Advocates
 For State : Mr. Gagan Tiwari, G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****14.12.2020**

1. Both these bail applications are decided by this common order as they are arising out of the same Crime Number.

2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of bail as they were arrested in connection with Crime No.63/2020 registered in Police Station Singhoda Distt. Mahasamund (C.G.) for offence punishable under sections 457, 380, 458, 394 & 349 of IPC and Sections 25, 27 of the Arms Act.
3. As per the prosecution case, a report was made by Ramesh Patel that on 13.08.2020, the applicants entered into his house, looted the cash, ornaments and mobile and also assaulted him with knife. Subsequently, the statements were recorded and MLC was conducted.
4. Learned counsel for the applicant submits that initially the report was made on 14.08.2020, no names were disclosed and on 15.08.2020 the statement under Section 161 was recorded whereas the MLC was conducted on 16.08.2020, therefore the implication of the applicant would be completely false. He would further submit that in respect of the assault, nothing was reported.
5. Learned State counsel opposes the argument and submits that since two mobiles were stolen on the basis of the mobile location Surendra Patel was arrested on his memorandum Parmeshwar Yadav and Rambabu Chouhan were arrested and the cash and ornaments were recovered from them which were identified.
6. Considering the recovery made and the identification of the ornaments and the mobile from the applicants, I am not inclined to allow the applicants to be released on bail. Accordingly, bail applications are dismissed.
7. Certified copy as per rules.

sd/-
(Goutam Bhaduri)
Judge