

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7534 of 2020**

1. Sheikh Rasid @ Rasid S/o Sheikh Sageer Aged About 23 Years R/o Near Nanda Kirana Shop, Bhairav Basti, Sharda Para, Camp-2 Police Station Chhawani, Bhilai, Tahsil And District Durg, Chhattisgarh
2. Rohit Kumar Paswan @ Babbi S/o Pramod Paswan Aged About 18 Years R/o Near Nanda Kirana Shop, Bhairav Basti, Sharda Para, Camp-2 Police Station Chhawani, Bhilai, Tahsil And District Durg, Chhattisgarh

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station Supela (Chowki Smriti Nagar), District Durg, Chhattisgarh

---- Respondent

For Applicants	:	Shri Purnendra Khichariya, Advocate
For State	:	Smt. Hamida Siddiqui, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****15/12/2020**

Heard.

1. The applicants have been arrested in connection with Crime No.394/2020 registered at Police Station – Supela (Chowki Smriti Nagar), District – Durg (C.G.) for alleged commission of offences under Section 394 of IPC.
2. Prosecution case is that the applicants assaulted the victim and looted Rs.5,000/- from the complainant.
3. Learned counsel for the applicants would submit that the applicants have been involved only on suspicion. They have not been named nor identified by the victim. It is stated that on the same day, some other cases were registered against the applicant in connection with another criminal cases and there is allegation of identification of the applicants in crime no.392/2020 and on that basis, only, it has been alleged that in the present case also, the applicants are involved. It is submitted that investigation is complete, charge sheet has been filed, therefore, the applicant may be granted bail as

they are in jail since 27/06/2020. It is submitted that except allegations of commission of offence under Section 394 of IPC on the alleged date of incident, there is no other past incident of commission of offence by the present applicants.

4. On the other hand, learned State counsel opposes prayer and submits that the applicants are involved not only in the present case but they have also committed similar offence on the same day and in other cases, the applicants have been involved.

5. Considering the submission of learned counsel for the parties, particularly taking into consideration that in the present case, involvement of the applicants is only on the memorandum and there is no identification of the applicants nor identification of articles allegedly the cash seized from the applicants and that investigation is complete, charge sheet has been filed and that the applicants is in jail since 27/06/2020, I am inclined to grant bail to the applicants.

6. Accordingly, the application is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court on the condition that -

- a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) They shall not make any attempt to tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge