

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7372 of 2019**

1. Mahesh Dewangan, S/o Tikeshwar Dewangan (wrongly mentioned Tikeshwari in the impugned order), Aged About 20 Years, R/o Gokul Nagar, Gali No. 05, P. S. Gudiyari, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh.
2. Rashtra Jagat @ Raj, S/o Niranjan Jagat, Aged About 22 Years, R/o Gokul Nagar, Gali No. 05, P.S. Gudiyari, Raipur District- Raipur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through: Station House Officer, Police Station Sarswati Nagar, District- Raipur Chhattisgarh.

---- Respondent

For Applicants	: Ms. Sunita Sahu, Adv.
For Respondent/State	: Mr. V. K. Agrawal, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.01.2020**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 156/2019 registered at Police Station- Sarswati Nagar, District- Raipur (C.G.) for the offence punishable under Section 392 of I.P.C.
2. The prosecution story, in brief is that, on 06.10.2019, the complainant had gone to pick up his friend from Railway Station at about 9.00 PM, he was going by sitting in motorcycle bearing registration No. P-54/M/6027 from railway station to Kabirnagar and he reached at Mohba Bazar, near wine shop, thereafter, three unknown persons looted the mobile and black colour bag from the complainant. Thereafter, offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are

innocent and have been falsely implicated in the crime in question. She further submits that there is no antecedent against the present applicants. The offence has been triable by the Judicial Magistrate First Class. The applicants are in jail since 18.10.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that there is no antecedent against the present applicants and the offence has been triable by the Judicial Magistrate First Class. The applicants are in jail since 18.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**