

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7377 of 2019**

1. Vivek Kumar Barte S/o Shri Dayaram Barte Aged About 30 Years, R/o Village Mudpar, P.S. Bilaigarh, Civil And Revenue District Balodabajar Bhatapara, Chhattisgarh.
2. Rahul Khute S/o Shri Chhagan Lal Khute Aged About 20 Years, R/o Village Mudpar, P.S. Bilaigarh, Civil And Revenue District Balodabajar Bhatapara, Chhattisgarh.

---- Applicants**Versus**

- The State Of Chhattisgarh, Through : The Station House Officer, Police Station Gidhouri, District Balodabajar Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sunil Sahu, Adv.
For Respondent/State	:	Mr. B. L. Sahu, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10/01/2020**

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. 248/2019 registered at Police Station-Bhatapara, District - Balodabajar-Bhatapara (C.G.) for the offence punishable under Sections 394, 34 of the IPC.
2. The prosecution story, is that complainant Rajendra Kumar Sahu lodged the report on 26.10.2019 that when he along with his friend Durgesh Sahu going to village Mohtara to Sonadula and on the way he was taking the breakfast at that time applicants came through their Motor cycle and committed the robbery of Rs. 3300/- and one Mobile set of Vivo Company valued Rs. 9,000/- and also looted some of Rs. 4,000/- and mobile set from Ravi Verma and

others. Based on this, 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. He further submits that the applicants are in jail since 26.10.2019, 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, detention period of applicants and further considering the facts that the applicants are in jail since 26.10.2019 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**