

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7572 of 2019**

1. Ramkumar S/o Ramlal Yadav Aged About 27 Years R/o Bartola-Dhangawan, Police Station Gaurella, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Dharendra Kumar Yadav S/o Budhsen Aged About 18 Years R/o Ramnagar-Fulkona, District Anuppur, Madhya Pradesh., District : Anuppur, Madhya Pradesh

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Gaurella, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent**MCRC No. 7674 of 2019**

- Biru Bansal S/o Mohliya Bansal Aged About 22 Years Caste-Bansal, R/o Aamadand, P.S. Rajnagar, District- Anuppur, Madhya Pradesh., District : Anuppur, Madhya Pradesh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Police Station Gaurella, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Abhishek Pandey, Advocate
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.01.2020**

1. As both the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure for

releasing them on regular bail during trial in connection with Crime No.200/2019 registered at Police Station - Gourela, District Bilaspur(C.G.) for the offence punishable under Sections 323, 392, 34 of the IPC.

3. According to prosecution story, complainant Pankaj Kumar Pandey lodged a complaint alleging that on 30.6.2019 four unknown persons threatened his driver of trailer (bearing registration No.CG 04 JC 5770) namely Ajay Kumar Mahto and looted 150 liters diesel, two jack rods and Rs.500/- from him. Again, on 5.7.2019, four persons have extorted Rs.2000/- and snatched a mobile from the said driver Ajay Kumar Mahto. After completion of investigation, the applicants have been arrested.
4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He submits that other co-accused persons have already been enlarged on bail by this Court in MCRC No.5827/2019; the applicants are in jail since October, 2019 and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail applications.
6. Considering the facts and circumstances of the case, the detention period of the applicants and the fact that the offence is triable by Judicial Magistrate First Class and other co-accused persons have been enlarged on bail and trial is

likely to take some time, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the applications filed under Section 439 Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.50,000/- with one surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.

8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge