

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7283 of 2019**

- Dhananjay Soni S/o Vinod Soni Aged About 25 Years R/o Panchsheel Nagar, Durg, P.S. Kotwali Durg , Tahsil And District Durg Chhattisgarh....(In Jail), District : Durg, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent**MCRC No. 8076 of 2019**

- Yashan Alias Amit S/o Salik Ram Thakur Aged About 19 Years R/o Near Chandrashekhar School, Police Station - Kotwali Durg, District - Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - Police Station Pulgaon, Durg District - Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Ishwar Jaiswal, Advocate in MCRC No.7283/2019.
For Applicant	:	Shri Mayank Chandrakar, Advocate in MCRC No. 8076/2019
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****07/01/2020**

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.400/2019 registered at Police Station - Pulgaon, Durg, District Durg(C.G.) for the offence punishable under Sections 392 and 397 of the IPC.

3. It is the case of the prosecution that the complainant lodged a report that on 13.8.2019 at about 1.30 pm when he was taking photos along with his friend, at that time, 2 unknown persons came and asked them for a matchbox and when the complainant denied, they threw petrol on them and looted silver chain, headphone, some cash and other articles and their mopeds, total valued to Rs. 1,64,365/-.
4. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question and nothing has been seized from the possession of the applicants. They submit that the offence is triable by Magistrate and as the applicants are in custody since August, 2019 and the trial is likely to take some time for its final disposal, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants; and that both the applicants are in jail since August, 2019, 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