

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7942 of 2019**

- Dharmendra Choudhary, S/o Shri Subhash Choudhary, Aged About 34 Years, R/o Ramkrishna Paramhans Nagar, Gudiyari Road, Kota, P.S.- Sawarwati Nagar, Raipur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through: Station House Officer, Police Station New Rajendra Nagar Civil and Revenue District- Raipur Chhattisgarh.

---- Respondent

With**MCRC No. 41 of 2020**

- Mohammad Arif, S/o Mohammad Yasin, Aged About 30 Years, R/o Shukrwar Bazar, Gudiyari, Police Station- Gudiyari, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through: Station House Officer, Police Station- New Rajendra Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Adv. in MCRC No. 7942/2019 Mr. Navin Shukla, Adv. in MCRC No. 41/2020
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For Respondent/State	: Ms. Reena Singh, P.L.
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Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.03.2020**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. 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. 299/2018

registered at Police Station- New Rajendra Nagar, District- Raipur (C.G.) for the offence punishable under Sections 356, 379 & 392 of I.P.C.

3. The prosecution story, in brief is that, on 19.11.2018, an FIR has been lodged by the complainant Ashwani Tiwari stating that she along with her friend was going to Golden Trade Center on her Activa bearing registration No. CG 04 LU 4813 via crossing Katora Talab Bridge. When they reached Near Dronacharya School at about 6:20 to 6:45 O' clock, at that time some boys came on motorcycle and snatched the golden chain and fled away. Thereafter, offence has been registered against the present applicants.
4. 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 they are in jail since 29.11.2018, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the facts that they are in jail since 29.11.2018 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.
8. 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