

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8447 of 2019**

1. Vikram S/o Kartik Ram Aged About 22 Years R/o Village Adbhar, Tahsil Malkhaud, District Janjgir-Champa, Chhattisgarh.
2. Chitrasen S/o Budhram Aged About 28 Years R/o Village Telikot, Tahsil Kharsiya, District Raigarh, Chhattisgarh.

---- Petitioners**Versus**

- State Of Chhattisgarh Through Police Station Kharsiya, District Raigarh, Chhattisgarh.

---- Respondent**And****MCRC No. 132 of 2020**

- Kartik Ram S/o Nanki Dau Aged About 42 Years R/o Village Adbhar, Tahsil Malkhaud, District Janjgir-Champa Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Kharsiya, District - Raigarh, Chhattisgarh

---- Respondent

For Applicants	:	Shri Sourabh Sharma, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/02/2020**

1. Since the aforesaid bail applications arise out of the same crime number, they are being disposed of by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.517/2019, registered at Police Station - Kharsiya, District Raigarh (C.G.) for the offence punishable under Sections 392,

120B/34 IPC.

3. The prosecution story, in brief, is that on 03.12.2019, complainant Agat Ram Ratre along with his brother Kartik Ram and Vikas Dewangan went to State Bank of India for encashment of a cheque of Rs.13,00,000/- given by one Kanhaiya. After withdrawal, when they were going on their way, two unknown persons came from behind on motorcycle, looted their bags and fled away. During investigation, test identification parade was conducted and procedure of seizure was carried out on the memorandum of accused persons namely Vikram Ratre, Chitrasen and Kartik Ram recorded under Section 27 of CrPC. Based on this, offence has been registered. The applicants have been taken into custody on 04.12.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that applicant in MCRC No.132/2020 is the president of Nagar Panchayuat, Adbhar, and also the brother of the complainant, therefore, the applicant has been falsely implicated in this case just to take political revenge. So far as applicants in MCRC No.8447/2019 are concerned, the amount has been recovered from others which itself shows that the applicants are innocent and not involved in the alleged incident. He next submits that the applicants are in custody since 04.12.2019, charge sheet has been filed, there is no likelihood of their case being decided in near future, they are ready to furnish adequate security and shall abide by the directions and conditions which may be imposed upon them by the Court. Therefore, they may be released on bail.
5. On the other hand, learned counsel for the State opposed the bail applications. Learned State counsel submits that on the basis of CCTV footage, the present applicants have been arrested, which shows their directed involvement in the commission of crime.
6. I have heard learned counsel for the parties and perused the

case diary.

7. Considering the totality of the facts and circumstances of the case and further considering the fact that the applicants are in custody since 04.12.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- - Rs.50,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde