

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8572 of 2020**

1. Kishor Dansena, S/o Tejram Dansena, Aged About 25 Years, R/o Village Milupara Thana Tamnar, District- Raigarh (Chhattisgarh).
2. Chitrasen Sidar, S/o Dukharam Sidar, Aged About 27 Years, R/o Village Sakta, Thana Tamnar, District- Raigarh (Chhattisgarh).
3. Ghanshyam Sidar, S/o Jaimangal, Aged About 26 Years, R/o Village Milupara, Thana Tamnar, District- Raigarh (Chhattisgarh).

---- Applicants**Versus**

- State Of Chhattisgarh Through, P.S. Tamnar, District- Raigarh (Chhattisgarh).

---- Respondent**With****MCRC No. 606 of 2021**

- Ganesh Kumar Sidar, S/o Shiv Kumar Sidar, Aged About 18 Years, R/o Village Sakta, Police Station- Tamnaar, Tehsil Tamnar, District- Raigarh (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through Police-In-Charge, Police Station Tamnaar, District Raigarh (Chhattisgarh).

---- Respondent

For Applicants

: Mr. Kamal Kishore Patel, Adv.
in MCRC No. 8572/2020
Mr. Ashish Beck, Adv.
in MCRC No. 606/2021

For Respondent/State

: Ms. Ishwari Ghritlahre, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

24.03.2021

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. 368/2020 registered at Police Station- Tamnaar, District- Raigarh (C.G.) for the offence punishable under Sections 394,34 of IPC.
3. The prosecution story, in brief is that, it has been alleged that on 24.10.2020 at about 8.00 PM, four unknown persons stopped the motorcycle of the complainant and assaulted one Uddav Patel and committed loot amounting to Rs. 1500/-. 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 charge-sheet has been filed and there is no previous record against the applicants. He next submits that applicants namely Kishor Dansena, Chitrasen Sidar and Ghanshyam Sidar are in jail since 25.10.2020 and the applicant namely Ganesh Kumar Sidar is in jail since 26.10.2020, 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 record.
7. Taking into consideration the nature and gravity of the

offence, facts and circumstances of the case and further considering the facts that charge-sheet has been filed and there is no previous record against the applicants and the detention period of the applicants, 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**

Ruchi