

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2359 of 2021

- Ramsudhir @ Shubham S/o Vyasnarayan Dhiwar Aged About 23 Years (Wrongly Mentioned In Order Sheet) 19 Years, R/o Village And Police Station Seepat District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- applicant

Versus

- State Of Chhattisgarh Through Police Station Seepat District And Revenue District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

MCRC No. 2581 of 2021

- Durgesh S/o Ramgopal Dhiwar Aged About 23 Years Resident Of Village Nevsa, Police Station Sipat , Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sipat , District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	–	Mr. Raj Kumar Gupta & Mr. Nitansh Kumar Agrawal, Advocates
For State	-	Mr. Aditya Bhardwaj, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.07.2021

1. These are the first bail applications filed under Section 439 of CrPC for grant of regular bail to the applicants, who have been arrested in connection with Crime No. 211/2020 registered in Police Station Sipat Distt. Bilaspur (C.G.) for offence punishable under Sections 395, 397 in MCRC No. 2351/2021 and Sections 395,397 & 34 in MCRC No. 2581/2021 of Indian Penal Code.

2. The prosecution story, in brief is that it has been alleged that on 02.05.2020 at about 11:45 PM, when complainant along with son-in-law was returning from Darrabhatha, at that time, applicant along with other co-accused persons stopped them and snatched a cash of Rs. 1,500/- from the complainant and one mobile phone worth of Rs. 3,000/- from his son-in-law. Thereafter, offence has been registered against the present applicant and he has been taken into custody.

3. Learned counsel for the applicants submit that the other co-accused Rameshwar Prasad Dhiwar has been enlarged on bail by the co-ordinate Bench of this Court in MCRC No. 5147/2020 on 21.09.2020 and the case of the present applicants is same to that of Rameshwar Prasad Dhiwar, therefore the present applicants may also be enlarged on bail.

4. Learned State counsel do not able to dispute the fact that co-accused Rameshwar Prasad Dhiwar has been enlarged on bail and the allegation against the present applicant is same.

5. Taking into the fact that the other co-accused Rameshwar Prasad Dhiwar has been enlarged on bail, chargesheet has already been filed also the fact that the applicants are in jail since 04.05.2020, I am inclined to release the applicants on bail. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on their furnishing personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

Judge