

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceeding through video conferencing****MCRC No. 3925 of 2021**

1. Hirdu Kumeti S/o Mehattar Kumeti Aged About 26 Years R/o At Village Becha, Police Station Chotedonger, Currently At Bandhapara, Police Station Kondagaon, District Kondagaon Chhattisgarh.
2. Onkar Kumeti, S/o Mehattar Kumeti, Aged About 19 Years R/o At Village Becha, Police Station Chotedonger, Currently At Bandhapara, Police Station - Kondagaon, District Kondagaon Chhattisgarh.
3. Dholendra Baghel, S/o Leduram, Aged About 21 Years R/o Village Polang, Police Station Kondagaon, District Kondagaon Chhattisgarh.

---- Applicants**Versus**

1. State of Chhattisgarh, Through Police Station - Chotedonger, District - Narayanpur, Chhattisgarh., District : Narayanpur, Chhattisgarh

---- Respondent

For Applicants - Shri Shobhit Koshta, Advocate.
For Respondents/State - Shri Sudeep Agrawal, Dy. Advocate General.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice
Order on Board

02-08-2021

1. Heard.
2. The applicants have preferred the first bail application under Section 439 of the Cr.P.C., as they are arrested in connection with Crime No.13/2019, registered at Police Station – Chotedonger, District- Narayanpur (C.G.) for the offence punishable under Section 392, 398, 457, 458 of the Indian Penal Code.
3. The applicant alongwith other accused persons have committed the present offence of robbery/loot by committing house trespass in the

house of one Ram Singh Netam at 8 p.m. on 05-08-2019. It is said that while committing the offence, the applicant and other accused persons were armed with knife and riffle but assaulted the inmates of the house by hand and fist. Thus, they have not used the knife or riffle while committing loot of Rs. 4-5 thousand from the house of Ram Singh Netam and silver & gold ornaments from the house of Rai Singh Netam.

4. Learned State counsel would oppose the prayer for grant of bail on submission that the applicants are involved in committing similar nature of crime in three more cases, two within police station Orcha and one within police station Benur.
5. Shri Shobhit Koshta, learned counsel for the applicant submits that in two other crimes of Orcha police station, the applicants have already been released on bail and moreover, the offences are triable by Judicial Magistrate First Class (J.M.F.C.).
6. True it is that four crimes of similar nature are registered against the applicants, but at the same time, it is to be seen that the offences are triable by J.M.F.C. and the present applicants are in jail since 03-01-2020 i.e. for about 1 year and seven months. Therefore, considering the length of pre-trial detention, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Acting Chief Judge