

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6772 of 2020**

1. Uttam Koshle, S/o. Jethuram Koshle, Aged About 28 Years, R/o. Maudahapara, Raigarh Chhattisgarh.
2. Manoj Goswami, S/o. Kanhaiya Goswami, Aged About 30 Years, R/o. Kaidimuda, Raigarh, Tahsil And District Raigarh, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station- City Kotwali, O.P. Jutmil, District Raigarh Chhattisgarh

---- Respondent**&****MCRC No. 6806 of 2020**

Mohammad Asfak, S/o. Mohammad Kalim, Aged About 24 Years, R/o. Village - Bajirao, Mahrapara, Tahsil - Kharsiya, District - Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through Police Station - Choki Jutmil, Thana - Kotwali District Raigarh Chhattisgarh.

---- Respondent

For Applicants : Mr. Sanjay Agrawal & Mr. Ashish Gupta,
Advocates

For Respondent/State : Mr. Gagan Tiwari, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06.01.2021**

1. Both the bail applications are being decided by this common order as they are arising out of the same crime number.
2. Both are the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants in connection with Crime No. 544 of 2020 registered at Police Station- City Kotwali, O.P. Jutmil, District Raigarh (C.G.) for the offence punishable under Section 392/34 of Indian Penal Code.
3. As per the prosecution case, a report was lodged by Manoj Lohar that

when he went to answer the call of nature, the applicants asked to make a call on mobile and thereafter they robbed Rs.7000/-.

4. Learned counsel for the applicants submits that the applicants have not been identified, only the currency notes have been seized and on the basis of memorandum they have been inculpated. He further submits that the charge sheet has been filed and the applicants are in jail since 06.08.2020; therefore, they may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the nature of evidence available and the fact that the charge sheet has been filed and the applicants have not been identified, I am inclined to release the applicants on bail. Accordingly, both the bail applications filed under Section 439 of Cr.P.C. are allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge