

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7200 of 2021**

1. Ashwani Dhruw, S/o Narendra Dhruw, Aged About 29 Years,
2. Satish @ Baba Dagore, S/o Mannu Dagore, Aged About 27 Years,
3. Durgesh Yadu, S/o Rekhraj Yadu, Aged About 28 Years,
All R/o Dhurandhar Ward, Bhatapara Tahsil Bhatapara, District
Balodabazar Bhatapara (Chhattisgarh).

---- Applicants**Versus**

- State of Chhattisgarh Through: P.S. Bhatapara (City) District
Balodabazar Bhatapara (Chhattisgarh).

---- Respondent

For Applicants	: Mr. B.L. Dembra, Adv.
For Respondent/State	: Mr. Wasim Miyan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.10.2021**

1. 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. 192/2021 registered at Police Station- Bhatapara (City) District Balodabazar Bhatapara (C.G.) for the offence punishable under Section 394/34 of I.P.C.
2. The prosecution story, in brief is that, it has been alleged by the complainant that on the date of incident, the applicant along with other co-accused committed loot amounting to Rs. 1,500/- from the complainant. Thereafter, offence has been registered against the present applicants.
3. 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 already been

filed. The applicants are in jail since 28.05.2021, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that applicants are habitual offenders, and, therefore, no case is made out to release the applicants on bail.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the detention period of the applicants and charge-sheet has already been filed, 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.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 1,00,000/- 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**

R/-