

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8169 of 2021

1. Manish Yadav S/o Shri Suresh Yadav Aged About 20 Years R/o Ameri Akbari, P.S. Bilha District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Omprakash Nishad S/o Shri Janakram Aged About 19 Years R/o Ameri Akbari, P.S. Bilha District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicants.

Versus

- State Of Chhattisgarh Through P.S. Bilha, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Vipin Tiwari, Advocate.

For Respondent/State : Ms. Ishwari Ghritlahre, PL.

Hon'ble Smt. Justice Rajni Dubey
Order On Board

01.11.2021

This first application under Section 439 of the Code of Criminal Procedure has been filed by the accused/applicants, who are languishing in jail since 03.09.2021 in connection with Crime No. 201/2021 registered at Police Station Bilha, District Bilaspur for the offence punishable under Section 341, 427, 394, 34 IPC.

2. The prosecution case in nutshell is that on 03.09.2021 the accused/applicants robbed the complainant of cash of Rs.2700, ATM card and Fasteg card, when they were getting back after making delivery of coal in Nova Gold Company.

3. Learned counsel for the applicants submits that the

applicants have been roped in a false and fabricated case and therefore, they may be set at liberty by granting bail. He submits that the applicants would abide by all terms and conditions imposed on them while granting bail.

4. Learned State counsel however puts forth his vehement opposition to the prayer for bail.

5. Having heard counsel for the parties, taken into consideration the facts and circumstances of the case and also keeping in mind the triviality of the allegations, this Court is of the opinion that the accused/applicants are entitled for bail. Accordingly, the application is **allowed** and it is directed that on applicants' furnishing a personal bond in the sum of Rs.50,000/- with one solvent surety each to the satisfaction of the concerned Court, they shall be released on bail. The applicants however, shall ensure their appearance before the trial Court as and when so directed, till the disposal of the case. Order accordingly.

Sd/-

(Rajni Dubey)
Judge