

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8766 of 2020**

1. Upendra Murum, S/o Rajkumar Murum, Aged About 25 Years, R/o Bagra, Police Chouki - Vijaynagar, Police Station - Ramanujganj, District - Balrampur - Ramanujganj Chhattisgarh.
2. Ramsharan, S/o Bishun, Aged About 45 Years, R/o Bagra, Police Chouki - Vijaynagar, Police Station - Ramanujganj, District - Balrampur - Ramanujganj Chhattisgarh.
3. Sonu @ Sonbhadra Prajapati, S/o Shyam Narayan Prajapati, Aged About 21 Years, R/o Sonpur, Police Station - Pratappur, District - Surajpur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through Police Chouki - Vijaynagar, Police Station - Ramanujganj, District - Balrampur - Ramanujganj Chhattisgarh.

---- Respondent

For Applicants	: Mr. J.P. Shukla, Adv.
For Respondent/State	: Ms. Ishwari Ghritlahre, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.04.2021**

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. 68/2020 registered at Police Station- Police Chouki - Vijaynagar, Police Station - Ramanujganj, District - Balrampur - Ramanujganj, (C.G.) for the offence punishable under Sections 384, 394 of IPC, 1860.
2. The prosecution story, in brief is that, complainant lodged a complaint against the applicants alleging that on 13.04.2020, applicants were carrying MNREGA work of constructing Dabri in village- Bagra with JCB in place of labour, which was objected and captured by the complainant through his mobile. It is alleged

that for the reason video of the incident captured by the complainant, the accused persons pressed his neck, snatched his mobile. 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 there is no antecedent registered against the present applicants. The applicants are in jail since 03.11.2020, 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. It is submitted that the offence committed by the applicants is of serious in nature, therefore, no case is made out for grant of bail.
5. I have heard learned counsel for the parties and perused the records.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that there is no antecedent registered against the present applicants. The applicants are in jail since 03.11.2020 and 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. 50,000/- 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**