

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8722 of 2020**

1. Bhagirathi, S/o Mohan Chauhan, Aged About 19 Years, R/o Village Kodatarai, Tahsil & District Raigarh Chhattisgarh.
2. Janamjay Sarthi, S/o Sundermadi Sarthi, Aged About 20 Years, Village Kodatarai, Tahsil & District Raigarh Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Pusoure, Raigarh, District Raigarh Chhattisgarh.

---- Respondent**With****MCRC No. 9181 of 2020**

- Harish Sao @ Golu, S/o Shri Kaushal Sao, Aged About 20 Years, R/o - Village - Kodatarai, Tahsil - Pussour, And District - Raigarh Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through - Station House Officer of the P/s. - Pussour, District Raigarh Chhattisgarh.

---- Respondent

For Applicants

: Mr. Ashish Gupta, Adv.
in MCRC No. 8722/2020
Mr. Abhishek Saraf, Adv.
in MCRC No. 9181/2020

For Respondent/State

: Ms. Anjali Singh Chauhan, P.L.

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

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.

2. The accused/applicants have moved these bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 202/2020 registered at Police Station- Pussour, District Raigarh (C.G.) for the offence punishable under Section 394 of IPC.
3. The prosecution story, in brief is that, it has been alleged that present applicants committed loot of 5 mobile phones, and some other articles. Thereafter, offence has been registered against the present applicants.
4. 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 been filed and the offence is triable by Judicial Magistrate First Class. He next added that there is no previous record against the applicants. He next submits that applicants are in jail since 02.11.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application submitting that offence committed by the applicants is of serious in nature, therefore, no case is made out to release them on bail.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the facts that charge-sheet has been filed and there is no previous record against the applicants and the detention period of the applicants, 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.

8. 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**

Ruchi