



that the applicants/ accused are not previously convicted in such like cases; that the learned trial Court while dismissing the bail applications of the applicants has not considered all these aspects of the case, therefore, according to him in view of the grounds as agitated the applicants are entitled for grant of bail.

4. As against this learned DPG has opposed these bail applications and contended that accused were caught hold red handed in presence of several independent persons of the vicinity and unlicensed weapons and robbed ornaments were also recovered from their possession; that no enmity has been alleged by the applicants against the complainant or the police to falsely implicate them in such heinous offence.

5. Heard and perused the record.

6. Admittedly alleged incident took place on 18.01.2021 at 1430 hours whereas the FIR has been lodged by the Complainant on the same date with promptitude. Applicants/accused are nominated in FIR and nothing has been pointed out by the learned counsel for the applicants that complainant has any enmity with applicants; that applicants were arrested red handed and from their possession robbed articles as well as unlicensed weapons were recovered in presence of mashirs, who have no inimical terms with them; that prosecution witnesses have also specifically nominated the accused persons in their statements recorded under Section 161 Cr.P.C; that there is sufficient material available on record to connect the applicants in the case. With regard to the false implication of the applicants, it could only be determined after recording of evidence and at this stage only tentative assessment is to be undertaken and no deeper appreciation is required.

7. In view of the above the applicants have failed to make out a case for grant of bail in their favour, I accordingly **dismiss** these bail applications with direction to trial Court to proceed the matter and decide the same expeditiously. It is made clear that observation if any in this order is tentative in nature and shall not affect the merit of the case.

Office to place copy of this order in all connected matters.

JUDGE