

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3994 of 2015**

1. Mohak Kumar Sen @ Sonu, Son of Thakur Ram Sen, aged about 21 years.
2. Toshan Kumar @ Chotu, S/o Shri Thakur Ram Sen, aged about 19 years,

Both are resident of Chandrakar Badi, Koshtapara, Dhamatari, Thana/Tahsil & Distt. Dhamtari (C.G.)

---- Applicants

Versus

State Of Chhattisgarh Through- City Kotwali Dhamatari, Dist. Dhamatari (C.G.)

---- Respondent

For Applicants:	Mr. R.S. Patel, Advocate.
For Non-applicant/State:	Mr. Suvigya Awasthy, Panel Lawyer.
For Objector:	Mr. A.L. Singraul, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board**17/08/2015**

Heard.

(1) This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested in connection with crime No.185/2015 registered at Police Station City Kotwali, Dhamatari, Distt. Dhamatari for the offences punishable under Sections 457 & 380/34 of the Indian Penal Code.

(2) Case of the prosecution is that applicants are said to have stolen two music box amounting to Rs.12,000/- from the shop of complainant and thereby committed the aforesaid offences.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question as they have nothing to do with the same; and the applicants have returned the music box to the complainant; and he has not supported the case of the prosecution. He submits that applicants are in jail since 03.07.2015 and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the statement of the complainant; and the facts that applicants are in custody since 03.07.2015; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the bail application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one 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 till disposal of the trial.

Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-