

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 349 of 2016

- Pradeep Kumar Komra S/o Hiresingh Komra Aged About 30 Years
Cast Gond, R/o Village Chargaon, Post Hatkarra, P.S. Korar, Tahsil
Bhanupratappur, Civil & Rev. Distt. North Bastar Kanker,
Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh Through P.S. Antagarh, Distt. North Bastar
Kanker, Chhattisgarh. **--- Respondent**

MCRC No. 784 of 2016

- Mahajan Komre S/o Late Uderam Komre Aged About 30 Years Caste
Gond, R/o Village Aadejhar, P.S. Mahamaya, Civil and Rev. Distt.
Balod Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh Through P.S. Antagarh, Distt. North Bastar
Kanker Chhattisgarh. **--- Respondent**

For the applicants :	Mr. Rakesh Thakur Advocate
For the Respondent :	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.02.2016

1. The applicants have filed these second bail applications under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to them in connection with Crime No. 44 of 2015 registered at P.S. Antagarh, Distt. North Bastar, Kanker (C.G) for the offence punishable under Section 457, 380/34 of IPC.
2. As per the prosecution, in the intervening night of 2nd & 3rd Sept. 2015 certain ornaments were stolen from the house of one Jagat Ram Koda. The matter was reported and subsequently the applicants were arrested. During the course of investigation, silver coins along-with some cash were recovered from applicant Pradeep Kumar Komra whereas from applicant, Mahajan Komre one mobile and cash of Rs.200/- were recovered.

3. Learned counsel for the applicants submits that 2-3 silver coins along-with currency notes amounting to Rs.200/- were recovered from applicant Pradeep Kumar Komra which too have not been identified whereas one Nokia mobile with currency notes amounting to Rs.200/- were recovered from applicant Mahajan Komre and the stolen articles have not been identified. He further submits that the applicants have not been named in the memorandum and they have been falsely implicated in the crime. He further submits that the charge sheet in this case has been filed and the applicants are in jail since 14.09.2015, therefore, he prays for releasing them on regular bail.
4. Per contra, learned State Counsel opposes the bail application.
5. Taking into the totality of the facts and circumstances of the case as also the fact that the charge sheet in this case has been filed; the recoveries have been made and the applicants are stated to be in jail since 14.09.2015; without any observation on merits of the case, this Court is inclined to release them on bail. Accordingly, the bail applications are allowed.
6. The applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE