

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1820 of 2016

1. Dinesh Sona S/o Late Vipin Sona aged 19 years R/o village Khemda Police Station and Tahsil Basna Civil and Revenue District Mahasamund C.G.

2. Mo. Dilawer Khatri S/o Abdul Gaffar Khatri aged 33 years R/o Ward No.1 Dipapara Basna Police Station and Tahsil Basna Civil and Revenue District Mahasamund C.G.

(Details of applicants fully not mentioned in order impugned. Hence mentioned as per charge sheet)

---Applicants

Versus

State of Chhattisgarh through Police Station Basna District Mahasamund C.G.

---Non-applicant

And

M.Cr.C. No. 1825 of 2016

Abhishek Sona S/o Rakshit Sona aged 18 years R/o village Khemda Police Station and Tahsil Basna Civil and Revenue District Mahasamund C.G.

---Applicant

Versus

State of Chhattisgarh through Police Station Basna District Mahasamund C.G.

---Non-applicant

For Applicants : Mr. Mirza Keshar Beg, Advocate

For Non-applicant : Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/04/2016

1. Above mentioned two bail applications arise out of a common Crime No. 26/2016, registered at Police Station Basna District Mahasamund (C.G.), for the offence punishable under Sections 379, 414/34 of IPC and Section 66/192 of Motor Vehicle Act, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the Cr.P.C.
2. Case of the prosecution, in brief, is that, present applicants stolen 18 quintal rice from the FCI godown on 24/01/2016 and thereby committed aforesaid offence.
3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the case. He would further submit that applicant-Mo. Dilawer Khatri is driver of the said vehicle in which stolen rice was transported. He would lastly submit that charge sheet has been filed and

applicants are in jail since 27/01/2016, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; their role in offence in question and the manner, in which, rice was stolen by the present applicants, this Court is not inclined to release the applicants on regular bail.

7. Accordingly, bail applications (M.Cr.C. Nos. 1820/2016 and 1825/2016) filed under Section 439 of the Cr.P.C. are rejected.

8. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge