

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3223 of 2016

1. Ravi Sabar, S/o. Shri Ghanaram Sabar, Aged About 24 Years, Occupation Labour.
2. Rajesh Yadav, S/o. Sadhuram Yadav, Aged About 20 Years, Occupation Labour.
3. Kanhaiya Yadav, S/o. Shri Panchram Yadav, Aged About 19 Years, Occupation Labour.

All are R/o. Village Bagbahra, Thana & Tahsil - Bagbahra, Civil & Revenue Distt. Mahasamund, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh, Through the Station House Officer, Police Station Bagbahra, Civil & Revenue Distt. Mahasamund, Chhattisgarh.

---- Respondent

For Applicants : Mr. Sunil Sahu, Advocate

For Respondent : Ms. K.Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.75/2016, registered at Police Station- Bagbahra, District Mahasamund (C.G.) for the offence punishable under Section 457, 380/34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on the intervening night of 3/4-05-2016, the applicants entered into the house of the complainant Shakuntala and thereafter committed theft of house hold articles and silver coins worth Rs.2000/-.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and they have not

committed any offence. He further submits that the goods are also not been identified and the applicants are in jail since 05.05.2016, therefore, they may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence and degree of allegation and further considering the fact that the applicants are in jail since 05.05.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge