

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7314 of 2015

1. Ashok Minj S/o. Chaitu aged about 30 years, Caste Uraon, R/o. Lalitpur (Gurguma) Police Station- Sitapur, Tahsil Pratappur, District Surguja (C.G.)
2. Surendra Lakra S/o Pawan @ Pawan Lakra, aged about 27 years, Caste Uraon, R/o.of Village- Mangari, Tahsil and Police Station Sitapur District Surguja (C.G.)

---- Applicants

Versus

State of Chhattisgarh Through Station House Officer, Police Station Bhatgaon, District Surajpur Chhattisgarh.

---- Respondent

For Applicants	:-	Shri D.N. Prajapati, Advocate
For Respondent/ State	:-	Shri Samir Behar, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board By

04/01/2016

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. 138/2015 registered at Police Station- Bhatgaon District Surajpur (C.G.) for the offence punishable under Sections 454, 380, 411 of Indian Penal Code.
2. Case of the prosecution, in brief, is that on 05.08.2015 a theft was committed in the house of complainant Sushila Singh for which the report was made. The house hold articles and cash of Rs. 5000/- were stolen from the house of the complainant. Subsequently, on investigation one bronze plate was recovered from the possession of the present applicant and three bronze plates was recovered from the possession of Surendra Lakra.

3. Counsel for the applicants submits that the applicants are innocent and they have been falsely implicated in this case. He further submits that the applicants are in jail since 16.08.2015 therefore, they may be enlarged on bail.
4. Learned State counsel opposes the prayer for grant of bail.
5. Having regard to the fact and the allegation levelled against these applicants and considering the gravity of offence and the manner in which the offence was committed and taking into account the fact that the charge-sheet has been filed in this case; and further the fact that the applicants are in jail since 16.08.2015, I am of the opinion that it is a fit case where the applicants can be released on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.
8. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge