

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5393 of 2016

1. Rakesh Sao, S/o. Late Ramswaroop Sahu, Aged About 22 Years, R/o. Village Sonas, Police Station Khijar Saray, District Gaya (Bihar), At Present R/o. Village Bemta, Gaya-Bihar Dhaba, Police Station Nevra, District Raipur, Chhattisgarh.
2. Pappu Sao, S/o. Madhusudan Sao, Aged About 28 Years, R/o. Village Akbarpur, District Nawada (Bihar), At Present R/o. Village Bemta, Gaya-Bihar Dhaba, Police Station Nevra, District Raipur, Chhattisgarh
3. Jitendra Sao, S/o. Chaandu Sao, Aged About 20 Years, R/o. Village Samanuwa, Post Harnoud, Police Station Harnoud, District Nalanda (Bihar), At Present R/o. Village Bemta, Gaya-Bihar Dhaba, Police Station Nevra, District Raipur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through the Police Station Tilda Nevra,
District Raipur, Chhattisgarh.

---- Respondent

For Applicants : Mr. P.P.Sahu, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.09.2016

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.134/2016 registered at Police Station- Tilda Nevra, Distt. Raipur (C.G.) for the offence punishable under Section 407, 420, 120-B & 34 of Indian Penal Code.

2. As per the prosecution case, the applicants along-with other accused used to obtain furnace oil at the low rate and committed theft of it with the help of the other co-accused and thereby have stolen 17000 liters of furnace oil worth Rs.2,71,000/-.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and no any seizure has been affected. He further submits that the other similarly placed accused Umesh Sao has been enlarged on bail by this Court on 17.08.2016 in MCRC No.4641 of 2016, therefore, the present applicants may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he do not dispute the fact that the similarly placed accused namely Umesh Sao has been released on bail by this Court.
5. Perused the case diary and the documents. Considering the facts and circumstances, nature of offence and degree of allegation and further taking into fact that the charge sheet has been filed and the similarly placed accused has been enlarged on bail, I am inclined to release the present applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the 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