

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7468 of 2016

1. Sanjay, Aged About 20 Years, S/o Hiranman Koshle,
2. Gurubachan, Aged About 27 Years, S/o Santram Gayakward,
Both were the R/o Village Lachhanpur, Police Station City Kotwali,
Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh.
3. Dildar, Aged About 19 Years, S/o Amar Das Gandle, R/o Village
Rampur, Police Station City Kotwali, Baloda Bazar, District Baloda
Bazar Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through S.H.O. Police Station City Kotwali,
Baloda Bazar, District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For applicants - Shri Hemant Gupta, Advocate.
For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/11/2016

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No.344/2016 registered in Police Station City-Kotwali, Baloda-Bazar, Revenue & Civil District Baloda-Bazar-Bhatapara (CG) for offence punishable under sections 379/34 of Indian Penal Code.
2. As per the prosecution case, a report was made by one Shatrughan Banjare that in between 17-18/02/2016, one water motor pump was stolen from the school for which a report was made in the month of August, 2016. Subsequently, on investigation it was found that the applicant alongwith other co-accused Rishi Raj have stolen the said pump and the recovery was made from the co-accused Rishi Raj. Thereby the offence has been committed.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case. He submits that similarly placed co-

accused have been enlarged on bail vide M.Cr.C. No.6288/2016 on 17/10/2016 and M.Cr.C. No.6442/2016 on 20/10/2016, therefore the applicants may be released on bail.

4. Learned State counsel is not able to dispute the fact that similarly placed co-accused have been enlarged on bail vide M.Cr.C. No.6288/2016 on 17/10/2016 and M.Cr.C. No.6442/2016 on 20/10/2016.

5. Considering the fact that similarly placed co-accused have been enlarged on bail vide M.Cr.C. No.6288/2016 on 17/10/2016 and M.Cr.C. No.6442/2016 on 20/10/2016 as also the fact that recovery has been made from other accused and applicants No.1 and 3 are in jail since 30/08/2016 and applicant No.2 is in jail since 6/09/2016, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE