

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 225 of 2017

1. Omprakash, S/o. Salikram Dheewar, Aged About 28 Years.
2. Santu @ Golu, S/o. Mohan Sahu, Aged About 28 Years.

Both are R/o. Village- Ahiwara, Ward No. 2, Near Santoshi Mandir,
Police Station- Nandani Nagar, District- Durg, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- The Police Station- Berla, District-
Bemetara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Amit Kumar Sahu, Advocate

For Respondent : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/02/2017

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.362/2016 registered at Police Station- Berla, District Bemetara (C.G.) for the offence punishable under Section 457 & 380 of Indian Penal Code.
2. As per the prosecution case, a report was made by Dinesh Kumar Sahu that on 28-29.11.2016 from a Shop, mobile, vouchers and computer worth Rs.48,2000/- were stolen. Subsequently, during investigation, the applicants were arrested and from their possession, mobile and computer were recovered.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case only on the memorandum of the co-accused. He further submits that the

charge sheet has been filed and no further investigation is necessary, therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. It appears that the seizure has already been made and no past antecedents have been reported by the State counsel. Considering the facts and circumstances of the case and further taking into fact that the charge sheet has been filed and the applicants are in jail since 25.12.2016, 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 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.

Sd/-
(Goutam Bhaduri)
Judge