

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1440 of 2017

1. Sarabjit Singh S/o Guljar Singh, Aged About 20 Years R/o- Kotli, Police Station Baltowa, District Tarantal (Punjab), Present Address: L I G- 103, In Front Of Balaji Transport, Kabir Nagar Raipur, Tahsil & District- Raipur, Chhattisgarh.
2. Guruchet Singh, S/o Gujjar Singh, Aged About 22 Years R/o- Kotli, Police Station Baltowa, District Tarantal (Punjab), Present Address: Lig- 103, In Front Of Balaji Transport, Kabir Nagar Raipur, Tahsil & District- Raipur, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station - Kurud, District-Dhamtari, Chhattisgarh. --- **Respondent**

For the applicants	:	Ms. Vijaya Laxmi Sarawa, Advocate
For the Respondent	:	Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.03.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 304/2015 registered at Police Station Kurud, Distt. Dhamtari (C.G) for the offence punishable under Sections 457 & 511/34 of IPC.
2. As per the prosecution case, a report was made by one Piyush Sugandhi on behalf of Gramin Bank, Dhamtari that someone has tried to commit theft in the Bank. Subsequently the applicants were arrested in Crime No.325/2015 registered at Police Station Dharsiva wherein on their memorandum, it was revealed that the present applicants tried to commit such theft, thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the

applicants were arrested only on the basis of memorandum statement and apart from that, no evidence is existing against them . She further submits that the applicants are in jail since 07.12.2015; charge sheet has been filed and no further investigation is necessary, therefore, they may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary documents. A perusal of the case diary shows that on the basis of memorandum which was recorded in another crime, the applicants were arrested.
6. Considering such facts situation of the case especially the fact that the charge sheet has been filed and the applicants are in jail since 07.12.2015, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**