

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5317 of 2017

1. Rupesh & Anr. S/o Rajkumar Sarthi, Aged About 20 Years R/o Darripara, Kawardha, District Kabirdham, Chhattisgarh.
2. Anil S/o Shiv Sarthi, Aged About 20 Years R/o Darripara, Kawardha, District Kabirdham, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- Respondent

For Applicants
For Respondent-State

Shri D. C. Verma, Advocate
Shri Sameer Behar, PL

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

27/11/2017

1. The applicants have preferred this bail application under Section 439 CrPC, as they have been arrested in connection with Crime No.87/2017, registered at Police Station Kawardha, District Kabirdham for the offence punishable under Sections 457, 380, 34 of IPC.
2. The applicants along with two other accused persons have committed lurking house trespassing and theft of mobile sets, hard disc and laptop valued at Rs.4 Lakhs.
3. Learned State counsel would oppose the bail application on submission that the applicants were previously involved in two

crime numbers for offence under Section 34 (2) of the Excise Act, Sections 354 and 356 of IPC and Section 7 and 8 of POCSO Act.

4. Having considered the material available in the case diary and the previous antecedents, it appears, the applicants were not involved in offence of theft on any previous occasion. They are in jail since 29.05.2017, therefore, this Court is inclined the release the applicants on bail. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.25,000/- with one surety each for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Nirala