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**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 6576 of 2017**

1. Santoshi W/o Jagan Naidu, Aged About 40 Years R/o Village Shahra, P.S. Shadara, New Delhi
2. Anjali Naidu W/o Ajay Naidu, Aged About 35 Years R/o Village Shahra, P.S. Shadara, New Delhi

**---- Applicants****Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Kotwali, Civil & Revenue District Ambikapur, Chhattisgarh

**---- Respondent**


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For the Applicants : Ms. Sangeeta Soni, Advocate.  
 For the Respondent/State : Shri Sumit Jhanwar, P.L.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****14.11.2017**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.555 of 2017, registered at Police Station – Kotwali, District – (Revenue & Civil) Ambikapur, Chhattisgarh for the offence punishable under Section 380/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. There is no evidence against them and no recovery has been made from them of the stolen article. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is evidence of CCTV Footage against the applicants and the witnesses have given statements registered the CCTV Footage which shall be examined by the trial Court. It is further submitted that the applicants are residents of New Delhi, hence, if they are released on bail their availability for trial of the case could not be ensured for the future. Hence, for these reasons, the application be rejected.

4. Heard counsel for both the parties and perused the case diary.

5. Considering the submissions made and the contents of the case diary and the fact that the applicants are resident of New Delhi and their release on bail is definitely going to affect the conclusion of the trial, I am of the considered view that the applicants are not entitled for grant of bail.

6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

7. The trial Court is directed to conclude the trial as expeditiously as possible preferably within three months from the date of receipt of the copy of this order.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge