

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8481 of 2016

1. Noor Singh S/o Shri Chandra Singh Aged About 25 Years R/o Village Getta, Police Station Tanda, District Dhar, Madhya Pradesh.
2. Kundan Ajnaar S/o Shri Banshi Ajnaar Aged About 25 Years R/o Tarsinga Police Station Tanda, District Dhar, Madhya Pradesh.
3. Dungru Lava S/o Shri Mayer Singh Lava Aged About 22 Years R/o Village Piprani Police Station Tanda, District Dhar, Madhya Pradesh. No. 9589776278

---- **Petitioners**

Versus

- State of Chhattisgarh Through The Police Station Pandri, District Raipur, Chhattisgarh.

---- **Respondent**

For Applicants : Mr. N.Naha Roy, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

09-01-2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested on 24-09-2016 in connection with Crime No. 100 of 2016, registered at Police Station Pandri, District Raipur (CG) for the offence punishable under Section 457 of the IPC.
2. Case of the prosecution, in brief, is that on 25-4-2016 a report was made by the complainant that when he woke up, he saw that one of the doors of his house was broken. Subsequently, on investigation, it was revealed that the present applicants tried to commit lurking house tress-pass and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case, after five months of the incident, the applicants have been arrested falsely, there is no evidence against the present applicants. He would further submit that charge-sheet has been filed in this case, the applicants are in jail since 24-9-2016 and no further investigation is required, therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the fact that charge-sheet in this case has been filed and the applicants are in jail since 24-9-2016, this court is inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju