

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 834 of 2017

1. Santosh @ Guddu, S/o. Raju Basore, Aged About 30 Years.
2. Manta Basore, S/o. Sheetal Basore, Aged About 22 Years.
3. Kalicharan, S/o. Sheshman Basore, Aged About 28 Years.
4. Prem Lal, S/o. Male Basore, Aged About 25 Years.

All are R/o. Village- Lalpur, Tahsil- Manendragarh, Police Station- Manendragarh, District- Korea, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- The Station House Office, Police Station- Manendragarh, District- Korea, Chhattisgarh.

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate

For Respondent : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/02/2017

1. This is the second 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.159/2016 registered at Police Station- Manendragarh, District Korea (C.G.) for the offence punishable under Sections 457, 380, 411 read with Section 34 of Indian Penal Code. The first bail application was dismissed as withdrawn with liberty to file a duly constituted bail application on 16.01.2017 in MCRC No.372 of 2017.
2. As per the prosecution case, in the intervening night of 7th & 8th May, 2016 a theft was committed in the house of complainant Rajesh Mishra and certain gold and silver ornaments were stolen.

Subsequently, on investigation it was revealed that the applicants along-with other co-accused has committed theft and the stolen ornaments were recovered.

3. Learned counsel for the applicants submits that the similarly placed co-accused has been enlarged on bail by this Court on 22.11.2016 in MCRC No. 6911 of 2016, therefore, the present applicants may also be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail, however, he is not able to dispute the fact that the similarly placed co-accused has been enlarged on bail.
5. Perused the case diary and the documents. Considering the fact that the charge sheet has been filed and the other similarly placed co-accused has been enlarged on bail, 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