

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1690 of 2017

1. Jogender Singh Netam @ Sonu, S/o. Late Shri Sham Netam, Aged About 22 Years.
2. Amrit Singh Maravi, S/o. Makhan Singh Maravi, Aged About 28 Years.

Both are R/o. Village Sirki, Tehsil Katghora, Police Station Dipka,
District Korba, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police
Station Pali, District Korba, Chhattisgarh

---- Respondent

For Applicants : Mr. Vivek Tripathi, Advocate

For Respondent : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29.03.2017

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.04/2017 registered at Police Station- Pali, District Korba (C.G.) for the offence punishable under Section 457, 380, 34 of Indian Penal Code.
2. As per the prosecution case, on 05.01.2017 the applicants were entered into the Scrapyard of Maruti Clean Coal & Power Limited Company and while were taking away 110 meters copper wire worth Rs.50,000/-, they were caught by the Security Guard; thereby the offence has been committed.

3. Learned counsel for the applicants would submit that this is the second bail application, the first bail application was dismissed as withdrawn on 08.02.2017 with liberty to repeat after filing of the charge sheet. He further submits now the charge sheet has been filed and the applicants are in jail since 06.01.2017, therefore, they may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and the fact that the charge sheet has been filed and the applicants are in jail since 06.01.2017, 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