

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8074 of 2017**

1. Sonu Thakur S/o Tulsi Thakur Aged About 28 Years R/o Rajeev Nagar, Supela, Police Station Supela, Bhilai, Tahsil And District Durg Chhattisgarh.
2. Md. Salim S/o Gaffar Aged About 29 Years R/o Soniya Gandhi Nagar Zone- I Khursipar, Bhial, Police Station Khursipar Tahsil And District Durg Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Its Police Station Jamul, Civil And Revenue District Durg Chhattisgarh.

---- Respondent

For the Applicants : Shri Ravi Maheshwari, Advocate.
 For the Respondent/State : Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****06.03.2018**

Heard.

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.312 of 2017, registered at Police Station – Jamul, Civil & Revenue District – Durg, Chhattisgarh for the offence punishable under Sections 457, 380 and 411 read with Section 34 of the Indian Penal Code.
2. Learned counsel for the applicants submits that the applicants are in jail since 26.7.2017 and they have been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The applicants

are local residents of District Durg and they are ready to abide by all the conditions that may be imposed on them. Hence, it is prayed that the applicants be benefited with grant of regular bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.

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

5. FIR was lodged by Sachidanand Sharma, the Director of Maa Khallari Swayat Prathmik Upbhokta Bhandar Mudpar, that some unknown persons have broke open the fair price shop and stolen some articles of ration. During investigation, at the instance of applicant No.1 – Sonu Thakur one bag of rice and at the instance of applicant No.2 – Md. Salim three bags of rice were recovered and seized. On that basis, the case has been registered against the applicants.

6. Considering the entire material present in the case-diary and the nature of the case, that the applicants are local residents of District Durg, that the case is triable by the Judicial Magistrate First Class and no purpose would be served if the applicants were kept in detention for the whole period of trial, I am of the considered opinion that in this case the applicants deserve to be enlarged on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge