

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 12 of 2018**

1. Vijay @ Monu, S/o. Bahadur Yadav, Aged About 24 Years,
 2. Siraj Khan, S/o. Hasan Khan, Aged About 28 Years,
- Both are R/o. Kashmiri Para, Thana -Dongargarh, District Rajnandgaon, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through : Thana Dongargarh, District- Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant : Mr. Samir Singh, Advocate

For Respondent/State : Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/03/2018**

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.351/2017, registered at Police Station –Dongargarh, District – Rajnandgaon (C.G.) for the offence punishable under Section 457, 380/34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicant No.1 is in jail since 27.10.2017 and the applicant No.2 is in jail since

23.10.2017, charge-sheet has been filed against them after completion of investigation, the applicants are local resident of District – Rajnandgaon and there is no likelihood of their absconsion, therefore, they may be released on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Complainant Geeta Thakur lodged FIR that two numbers of mobile phones, some utensils, keys made of silver, cash of Rs.10,000/- and other articles worth Rs.15,000/- were stolen by Golu @ Punaram. Names of these applicants were reflected in the memorandum statement of the main accused person and on that basis recovery of some articles have been made from these applicants.
6. Considered the submissions made and the contents of the case diary. Considering the entire material present in the case diary and further considering the fact that there is no criminal antecedents of the applicants, case is triable by Judicial Magistrate First Class further the trial is pending before the concerned Court, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram