

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 430 of 2018**

- Sanjay Kumar Thakur S/o Komal Thakur, Aged About 19 Years R/o Sector No. 4, Quarter No. 11 A, Road No. 25, Bhilai Tahsil And District Durg Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bhilai Nagar, District Durg Chhattisgarh, Chhattisgarh.

---- Respondent

And**M.Cr.C. No. 439 of 2018**

- Sanjay Kumar Thakur S/o Komal Thakur, Aged About 19 Years R/o Sector No. 4, Quarter No. 11 A, Road No. 25, Bhilai Tahsil And District Durg Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bhilai Nagar, District Durg Chhattisgarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Jitendra Gupta,
Advocate.

For the Respondent/State : Ms. K. Tripti Rao, PL

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****20.03.2018**

1. As in both the applications the applicant is same, therefore, they are heard and decided together by this common order.
2. In M.Cr.C No. 430 of 2018, the applicant has been arrested in connection with Crime No. 577/2017, registered at Police Station – Bhilai Nagar, District -Durg, (C.G), for the offences under Sections 379

and 34 of the Indian Penal Code.

3. In M.Cr.C No. 439 of 2018, the applicant has been arrested in connection with Crime No. 533/2017, registered at Police Station – Bhilai Nagar, District -Durg, (C.G), for the offences under Sections 379, 411 and 34 of the Indian Penal Code.
4. Learned counsel for applicant in M.Cr.C No. 430 of 2018 submits that the applicant has been falsely implicated in this case, no case is made out against him. The FIR was lodged against unknown person in this case. The applicant was named in this case by one of the co-accused person memorandum statement given by him, no seizure of recovery has been made from this applicant. The applicant is ready to abide by all the conditions which may be imposed while granting bail to the applicant, therefore, it is prayed that he may be enlarged on bail.
5. Learned counsel for applicant in M.Cr.C No 439 of 2018 submits the applicant has been falsely implicated in this case, only on the basis of memorandum statement given by the one co-accused person and no seizure has been made from this applicant, no case is made out against this applicant
6. Learned counsel for the State opposes the bail applications and the submissions made.
7. Heard counsel for both the parties and perused the case diary.
8. In Crime No. 577/2017, FIR was lodged by Namrata alleging that, when she was driving on her scooty two unknown persons on motorcycle snatched her bag which contained some papers and

mobile phone worth of Rs. 3,000 /-. During the investigating some articles has been seized from the possession of the co-accused persons.

9. In Crime No. 533/2017, FIR was lodged by Anamika alleging that when she was driving on her scooty two unknown persons snatched her purse containing cash of Rs. 16,000 /- and some papers. During the investigation some articles has been recovered from the co-accused persons.
10. Considering the submission and contents of the case diary and taking into consideration this fact that only on the basis of memorandum statement given by the co-accused persons, this applicant has been implicated in this case and no seizure has been made from this applicant during the investigation and that there is no criminal antecedents of the applicant, hence, for these reasons, this Court is of the opinion that this is a fit case, where the applicant in both the cases deserve to be enlarged on bail.
11. Consequently, both the applications filed under Section 439 of the Cr.P.C. are hereby allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in respect of each crime in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd /-

(Rajendra Chandra Singh Samant)
Judge