

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 991 of 2018

1. Madan Kashyap S/o Dukhiram; aged about- 24 year; R/o Village- Buchuwakapa; Police Station- Jarhagaon; District (Revenue & Civil)- Mungeli (Chhattisgarh).
2. Naval Varma @ Vicky Varma S/o Leelram; aged about- 19 year; R/o- Near Sai Mandir, Chantideeh; Police Station- Sarkanda; District- Bilaspur (Chhattisgarh).

---- Applicants

Versus

- State Of Chhattisgarh Through: Police Station- City Kotwali, Bilaspur; District (Revenue & Civil)- Bilaspur (Chhattisgarh)

---- Respondent

For Applicants	: Mr. Sanjeev Das, Advocate.
For Respondent/State	: Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

10/04/2018

1. Heard.
2. This is the first 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. 438/2017, registered at Police Station- City Kotwali, Bilaspur District – Bilaspur (Chhattisgarh) for the offence punishable under Section 379/34 of the Indian Penal Code.
3. Learned counsel for the applicants submits that the applicants have falsely been implicated in this case, the applicants are in jail since 24.10.2017, charge-sheet has been filed after completion of investigation no case is made out against the applicant on the basis of material present

in the case, hence, it is prayed that applicants be enlarged on regular bail.

4. Learned State counsel opposes the bail application.
5. Heard both the parties and perused the case diary.
6. According to the prosecution case, one motorcycle bearing registration No. CG10AJ3318, which was in possession of complainant Shekh Sahbaj, was stolen. After lodging of FIR, at the instance of the applicant No. 2- Naval Varma stolen motorcycle was recovered. Hence this case.
7. Considering the entire material present in the case diary, it appears that the applicants do not have any criminal antecedent and the trial against them is still pending before the trial Court and no useful purpose would be served in keeping them in jail, hence, I am of this opinion that applicants should be benefited with grant of regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge