

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 882 of 2018

1. Abhay Raj S/o Shri Jawahir Lal, Aged About 25 Years Caste Khairwar, R/o Village Khirki, P.S. Kotadol, Tahsil Bharatpur, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh
2. Laxman S/o Shri Ramratan, Aged About 23 Years Caste Khairwar, R/o Village Khirki, P.S. Kotadol, Tahsil Bharatpur, District Korea Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Kotadol, District Korea

---- Respondent

For Applicants	:	Shri Rajkumar Pali, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/04/2018

Heard.

1. The applicants have been arrested in connection with Crime No.28 of 2017 registered at Police Station- Kotadol, District Korea (CG) for the alleged commission of offence under Section 457, 380,34 of IPC.
2. Case of the prosecution is that the applicants committed theft of silver ornaments.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated on the basis of false seizure alleged to have been made from them and the applicants have not committed any offence. It is further submitted that the applicants are in jail since 15.10.2017, investigation is complete and charge-sheet has been filed and there is no material to show that the applicants are likely to abscond or tamper with the prosecution witnesses, therefore, they may be granted bail.
4. On the other hand, learned counsel for the State opposes the bail application by submitting that from the possession of the applicants, silver anklet, one

silver ring and one gold ring have been seized. Therefore, prima facie, case is made out.

5. Having considered the submission of learned counsel for the parties, taking into consideration that the applicants are in jail since 15.10.2017, investigation is complete, charge-sheet has been filed, the application is allowed.
6. 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/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:

(i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge