

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1257 of 2018

1. A. Buddu S/o A. Bhagirathi Aged About 24 Years R/o.- Village- Chatapadiya, Police Station- Aska, District Ganjam (Odissa), District : Ganjam, Orissa
2. Sidhdhu Das @ Ishwar Das S/o Narayan Das Aged About 25 Years R/o.- Village- Chatapadiya, Police Station- Aska, District Ganjam (Odissa), District : Ganjam, Orissa

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Moudahapara, Raipur, District- Raipur (C.G.), District : Raipur, Chhattisgarh

---- Respondent

MCRC No.1261 of 2018

1. A. Buddu S/o A. Bhagirathi Aged About 24 Years R/o.- Village- Chatapadiya, Police Station- Aska, District- Ganjam (Odissa), District : Ganjam, Orissa
2. Sidhdhu Das @ Ishwar Das S/o Narayan Das Aged About 25 Years R/o.- Village- Chatapadiya, Police Station- Aska, District- Ganjam (Odissa), District : Ganjam, Orissa

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Moudahapara, Raipur, District- Raipur (C.G.), District : Raipur, Chhattisgarh

---- Respondent

MCRC No. 1273 of 2018

1. A. Buddu S/o A. Bhagirathi Aged About 24 Years R/o.- Village - Chatapadiya, Police Station- Aska, District- Ganjam (Odissa), District : Ganjam, Orissa
2. Sidhdhu Das @ Ishwar Das S/o Narayan Das Aged About 25 Years R/o.- Village - Chatapadiya, Police Station- Aska, District- Ganjam (Odissa), District : Ganjam, Orissa

---- Petitioner

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Moudahapara, District- Raipur (C.G.), District : Raipur, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Sushobhit Singh, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, PL

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/03/2018

Heard.

1. In so far as three bail applications filed by the two applicants are concerned, who are accused of different offence of theft at different places, it is alleged that the applicants were arrested on their memorandum. The applicants stated to have committed the offence of theft at five places, therefore, five different cases have been registered against the two applicants. The two applicants have filed three bail applications (MCRC No.1257, 1261 & 1273 of 2018) out of five cases.

The two applicants in these bail application has been arrested in connection with Crime No.103/2015, 145/2016 & 104/2015 registered in Police Station-Moudahapara, Raipur (C.G.) for alleged commission of offence under Section 379/34 of the IPC.

2. Learned counsel for the applicant would submit that though the applicants are alleged to have committed offence of theft, but nothing has been seized from their possession. It is submitted that involvement of the applicant in this case is based on their memorandum. He would further submit that on the suspicion that the applicants are habitual offender, the police has arrested them. He lastly submitted that there is no material progress in the trial and in this manner, the applicants are in jail for the last one year, therefore, at this stage, the applicant may be granted bail.

3. On the other hand, learned counsel for the State would submit that the applicants have been involved in number of cases of commission of offences of theft in similar manner from the vehicles and as many as five cases including the present case have been registered against them and the applicants are being prosecuted, therefore, at this stage, if applicants are granted bail, they are likely to abscond and also hamper the progress of trial.

4. Taking into consideration the submissions made by learned counsel for the parties and that the applicants are habitual offender of commission of offence of theft and number of cases are said to be reported against them, I am not inclined to grant bail to the applicants.

5. Accordingly, the bail applications (MCRC No.1257, 1261 & 1273 of 2018) are rejected. However, the trial Court is directed to conclude the trial as early as possible within a period of four months. In case, the trial is not concluded within the stipulated period, the applicants would be at liberty to revive the application.

SD/-

(**Manindra Mohan Shrivastava**)

J U D G E