

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1128 of 2018**

1. Shivam Barle @ Gammi S/o Sujit Barle, Aged about 19 years;
2. Rohit Kumar Yadav, S/o Patiram Yadav, Aged about 22 years;

Both R/o Village Rangitola, Out Post Chichola, District Rajnandgaon (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through Out Post Chichola, Police Station Chhuriya Rajnandgaon, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant	:	Mr. Arvind Dubey, Advocate.
For Non-applicant/State	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

09/04/18

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.204/2017 registered at Police Station Out Post Chichola, P.S. Chhuriya, Rajnandgaon, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 34 of the Indian Penal Code.

3. Case of the prosecution, in brief, is that the applicants have stolen two mobile phones, one wrist watch and cash of Rs.6000/- from the house of the complainant and thereby committed the aforesaid offence.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and have been falsely implicated in the crime in question. They are in jail since 07-01-2018. Charge-sheet has already been filed and no useful purpose will be served by detaining them in jail, therefore, they may be released on regular bail.

5. On the other hand, learned counsel for the State would oppose the bail application.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence, and the fact that the applicants are in custody since 07-01-2018, this Court is of the opinion that present is a fit case in which the applicants should be enlarged on regular bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. 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/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge