

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1414 of 2018**

1. Kamlesh Kamal, S/o. Pukram Kamal, Aged About 20 Years,
2. Surendra Kamal, S/o. Janiram Kamal, Aged About 21 Years
R/o- Village Navapara, P.S. Bilaigarh, District-Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station Bilaigarh, District- Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

AND**M.CR.C. No. 1214 of 2018**

Shatruhan @ Ramlal Kenwat, S/o. Manjit Kenwat, Aged About 20 Years, R/o. Village- Darra, Police Station- Bilaigarh, District- Baloda Bazar- Bhatapara (C.G.).

---- Applicants

Versus

State Of Chhattisgarh, Through- Station House Officer, Police Station- Bilaigarh, District- Baloda Bazar-Bhatapara (C.G.).

---- Respondent

For Applicants	: Mr. Suresh Kumar Verma & Mr. C.R. Sahu, Advocates
For State/respondent	: Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****19/04/2018**

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.
2. These are the first bail applications 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.434/2017, registered at Police Station – Bilaigarh, District – Baloda Bazar –

Bhatapara (C.G.), for the offence punishable under Section 457, 380/34 of the Indian Penal Code.

3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in jail since 06.01.2018. The case is triable by Judicial Magistrate First Class. Charge-sheet has been filed after completion of investigation. Trial against the applicants is likely to take some time for its conclusion. Therefore, it is prayed that the applicants may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail applications and the submission made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per the case of the prosecution, an offence of theft was committed in the shop of complainant – Madhukar Dewangan in which cash of Rs.5,000/-, some chip, mobile sets and other articles total worth Rs.65,000/- were stolen. During the investigation most of the articles of theft have been recovered from both the applicants.
7. Considered on the submissions made and the contents of the case diary. Considering the entire material present in the case diary, charge-sheet has been filed and the trial is likely to take sometime for its conclusion and the applicants do not have any criminal antecedents, hence for this reason, 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 applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that applicants shall be released on bail on their 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram