

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 423 of 2018**

Khuman Singh Chouhan @ Raja S/o Ramanand Singh Chouhan, Aged About 21 Years R/o Village Kamata, P. S. Nawagarh District Bemetara Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Civil Line, District Bilaspur Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 1325 of 2018**

Atul Kesharwani S/o Ramlakhan Kesharwani Aged About 26 Years R/o.- Village Govindpur P.S. Shivpuri District Allahabad (U.P.) Present Address Pacharighat Kilaward Juna Bilaspur P.S. City Kotwali Tahsil And District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant**Vs**

State Of Chhattisgarh Through- The Police Station Civil Line, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For the Applicants : Shri P.K. Tulsyan, Advocate.
For the Respondent/State : Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.03.2018**

Heard.

- Both these applications are being decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants 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.366 of 2017, registered at Police Station Civil

Line, Bilaspur, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 380, 457 and 411/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants in both the cases are in jail since 10.10.2017 and they have been falsely implicated in these cases. After completion of investigation, the charge-sheet has been filed and the trial has made no progress. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that in the memorandum statement both these applicants have admitted that they have been engaged in similar offence of theft earlier also. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. The allegation against these applicants in both the cases is that they committed theft in the house of Snehalata Lal in Bilaspur and have stolen jewellery of gold alongwith cash of Rs.20,000/-. At the instance of both these applicants, gold ornaments have been recovered from one co-accused Sitaram. Co-accused - Sitaram has already been granted bail by the trial Court itself. Since presently, the case is before the trial Court and the conclusion of the trial is likely to take some time for its final disposal against these applicants, these applications are allowed.

6. It is directed that the applicants in both the cases 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/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi