

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2349 of 2018

- Deepak @ Koko S/o Bhagirathi Chauhan Aged About 18 Years R/o- Thana Chowk, Champa, Police Station Champa, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Janjgir, Civil And Revenue District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

MCRC No. 2526 of 2018

- Sonu @ Yogesh Bharti S/o Kusum Bharti Aged About 18 Years R/o- Village- Uрга, Police Station- Uрга, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Janjgir, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicants : Mr. Punit Ruparel and Mr. Lalit Jangde, Advocates.

For Respondent : Mr. Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

13/04/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. Both the applications are applicant's 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.41/2018, registered at Police Station – Janjgir, District– Janjgir-Champa(C.G.) for the offence punishable under Sections 392 & 392/34 of IPC

3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 20.01.2018. No case is made out against them according to the charge-sheet filed against them. It is also submitted that the complainant has been examined before the Court and he has not identified the applicants as the persons, who have looted the things. Hence, under these circumstances, it is prayed that they may be released on regular bail.
4. Learned State counsel opposes the bail application and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. The allegation against the applicants is this, that on the date of incident they looted one Red-me MI mobile set worth of Rs.7,500/- from Suraj Patel. After lodging of FIR, the offence was registered against these applicants.
7. Considered on the entire material present in the case and also perused the statement of the complainant Suraj Patel before the trial Court, who has been declared hostile by the prosecution for not supporting the case of prosecution. For this reason, I feel inclined that applicant should be granted regular bail during the pendency of the trial against them.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on

their furnishing a personal bond for a sum of Rs.25,000/-each 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

Nisha