

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2607 of 2018

- Mohd. Imron S/o Haji Mohammad Ismail Aged About 35 Years R/o-
Purani Basti, Korba, P.S. Kotwali, Korba, Tahsil And District- Korba,
Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police
Station Kotwali, Korba, District- Korba, Chhattisgarh., District : Korba,
Chhattisgarh

---- Respondent

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MCRC No. 3011 of 2018

- Komal Sahu S/o Shri Aajuram Sahu Aged About 34 Years R/o
Imaliduggu, Korba, Tahsil And District Korba, Chhattisgarh, District :
Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station
Chowki Manikpur, Civil And Revenue District Korba, Chhattisgarh,
District : Korba, Chhattisgarh

---- Respondent

For Applicants : Mr. K.K. Singh and Mr. Sudeep Agrawal,
Advocates.
For Respondent : Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

17/05/2018

1. Since the above bail applications arise out of the same crime number,
they are being disposed of by this common order.
2. Both these applications filed under Section 439 of the Code of Criminal

Procedure, 1973 are second bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.163/2018 registered at Police Station-Kotwali, Manikpur, District – Korba(C.G.) for the offence punishable under Sections 457, 380, 395 & 34 of the Indian Penal Code.

3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are in jail since 13.3.2018. No case is made out against them. After completion of investigation, charge-sheet has been filed. The case is triable by Judicial Magistrate First Class and trial is likely to take some time before its conclusion. Hence, 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. It is submitted that applicant Md. Imran has a criminal history of having being prosecuted on 7 occasions for different offences and there is one previous case under Section 379 of IPC is also registered against him and the co-accused Komal Sahu being his assistant, hence, both are not entitled for grant of bail.
5. Heard both the parties and perused the case diary.
6. According to prosecution case, 70 kg of copper wire on SECL workshop was stolen by some unknown thief. FIR was lodged in Police-Station City Kotwali, Korba. During investigation, on the basis of memorandum statement given by co-accused Vishnu and Md. Imran some seizure of copper wire has been made from both these applicants. Hence, this case.
7. After considering on the material present in the case diary, it appears that the case is triable by JMFC and the trial against them is likely to

take some time before its conclusion. For this reason, I am of this view that this is a fit case where applicants should be enlarged on regular bail.

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