

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 7839 of 2017**

Kaleshwar Dhruw, S/o Thakur Ram Dhruw, Aged About 20 Years, R/o. Village Halba Para Fingeshwar, Thana Fingeshwar, District Gariyaband Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station -Fingeshwar, District Gariyaband, Chhattisgarh.

---- Respondent

AND**M.CR.C. No. 572 of 2018**

Balram Sanwra, S/o. Johan Sanwra, Aged About 19 Years, R/o. Village Ward No. 14, Fingeshwar, Halbapara, Post Office, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Fingeshwar, District Gariyaband Chhattisgarh.

---- Respondent

For Applicants : Mr. Shivendu Pandya & Mr. K.K. Dewangan,
Advocates

For Respondent/State : Ms. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**22/02/2018**

- Both the bail applications are heard and decided together by this common order as they are being 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.92/2017, registered at Police Station – Fingeshwar, District – Gariyaband (C.G.) for the offence punishable under Section 457, 380 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 08.10.2017, charge-sheet in this case has been filed after completion of investigation and the applicants are ready to abide by all the conditions imposed while enlarging them on bail. Therefore, it is prayed that the applicants may be granted regular 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. The prosecution case in brief is that complainant Dev Shankar Sahu lodged FIR that one Tullu Pump of Prince company and five iron rods have been stolen from his house by some unknown thieves. During the investigation, one pump was recovered and seized from the applicant Balram Sanwra (in M.Cr.C. No.572/2018) and the iron rods were seized from the applicant – Kaleshwar Dhruw (in M.Cr.C. No.7839/2017).
7. Considered the submissions made and the contents of the case diary. As it appears that both the applicants do not have any criminal antecedents, they are local resident of District Gariyaband, and no

purpose would be served if the applicants are kept in detention, till the conclusion of trial, the case is triable by JMFC, 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 each 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