

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3151 of 2018

Sabdar Karim @ Jhunnu S/o Shri Saiyad Sujait Karim, aged about 28 years,
R/o Sonpurwa, P.S.- Garhwa, Distt.- Garhwa (Jharkhand).

---- Applicant

Versus

State of Chhattisgarh through Outpost- Bariyon P.S.- Raipur, Distt.- Balrampur,
Ramanujganj (C.G.).

---- Respondent

AND

MCRC No. 3486 of 2018

Dileep @ Deva Minj S/o Vishavnath Minj, aged about 22 years, R/o Village-
Kunwarpur (Jhandipur), Police Lakhanpur, District- Surguja (C.G.).

---- Applicant

Versus

State of Chhattisgarh through Police Station- Rajpur, District- Balrampur-
Ramanujganj (C.G.).

---- Respondent

For Applicant (In MCRC No. 3151/2018):	Ms. Sonia Kuldeep, Advocate
For Applicant (In MCRC No. 3486/2018):	Mr. Akath Kumar Yadav, Adv.
For Respondent :	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

25/06/2018

1. Heard.
2. Since both the cases arise out of same Crime number, therefore, they are being disposed of by this common order.
3. The applicants have preferred first bail applications (in both the cases) under Section 439 of the Cr.P.C for grant of regular bails as they are arrested in connection with Crime No. 86/2017 registered at Police

Station- Rajpur, Distt. Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 379 and 413 of IPC (In MCRC No. 3151/2018) and under Sections 379 and 413/34 of IPC (In MCRC No. 3486/2018).

4. As per prosecution story it is alleged that applicant- Dileep (In MCRC No. 3486/2018) had theft a tractor bearing No. CG13 UH 4701 of complainant – Rajendra on 24-25/07/2017 with the help of other co-accused. It is further alleged that the said theft property has been sold by them to applicant- Sabdar Karim (In MCRC No. 3151/2018) and co-accused Mohd. Illiyas Ansari. On the basis of said report, offence was registered. Both the applicants were arrested on 16/12/2017.
5. Counsel appearing on behalf of the respective applicants submit that the applicants are innocent and have been falsely implicated in the present case. They further submits that both the applicants are in custody since 16/12/2017, charge-sheet has already been filed and other co-accused Mohd. Illiyas Ansari has already been granted bail vide order dated 27/04/2018 in MCRC No. 1976/2018 by this Court, therefore, they prays for releasing of the applicants on bail.
6. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
7. I have heard learned counsel for both the parties.
8. Considering the above facts and circumstances of the case, particularly that the applicants are in custody since 16/12/2017, charge-sheet has already been filed, trial will likely to take some time to conclude and other co-accused Mohd. Illiyas Ansari has already been granted bail by this Court vide order dated 27/04/2018 in MCRC

No. 1976/2018, I am inclined to release the applicants on bail.

9. Accordingly, the bail applications are allowed. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one surety each to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as is given to them by the said Court in this regard.

Sd/-

Judge
Arvind Singh Chandel

Rahul