

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4341 of 2018**

1. Ajay Jain S/o Suresh Jain Aged About 30 Years R/o- House No. 428/1, Ward No. 17, Wardhman Nagar, Rajnandgaon, Tahsil And District- Rajnandgaon, Chhattisgarh
2. Sanjay Jain S/o Suresh Jain Aged About 35 Years R/o- Kaushal Nagar Chowk Changora Bhatha, Raipur, District- Raipur, Chhattisgarh

----Applicants**Versus**

1. State of Chhattisgarh Through- District Magistrate, Durg, District- Durg, Chhattisgarh
2. Station House Officer Police Station Jamul, District- Durg, Chhattisgarh

-----Respondents

For Applicants	:	Shri Jitendra Gupta, Advocate
For Respondents/State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/07/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 24.08.2017 & 27.07.2017 in connection with Crime No.364/2017 registered at Police Station Jamul, District Durg (CG) for the offence punishable under Sections 457, 380, 411/34 IPC.
2. As per the prosecution case, a report was lodged that the present applicants have stolen 7 bags of Sugar, 22 Bags of rice, staff register and complaint book total price of Rs.7,50,000/- from the fair price shop of Nav Jagriti Mahila Swa Sahayata Samooh of Village Nardha. Thereby the

offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated as there has been some previous enmity in between the complainant and the applicants. He further submits that the charge-sheet in this case has been filed and no further investigation is necessary, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the documents. Considering the fact that the charge-sheet in this case has been filed and the applicants are in jail since 24.08.2017 & 27.07.2017, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri
Judge

Ashu