

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Misc. Criminal Case No. 4447 of 2018**

1. Faizal Khan S/o Chand Khan, Aged About 22 Years, R/o- Barpali Chawk, Police Station Champa, District- Janjgir-Champa, Chhattisgarh
2. Sandeep Yadav S/o Tribhuvan Yadav, Aged About 21 Years, R/o- Bhojpur, Police Station Champa, District- Janjgir-Champa, Chhattisgarh

---- Applicants**Versus**

The State Of Chhattisgarh Through- The Police Station Kusmunda, Civil And Revenue District- Korba, Chhattisgarh

---- Respondent

For Applicants	:	Shri Kalpesh Ruparel, Advocate
For Respondent/State	:	Ms. Astha Shukla, P.L.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18/09/2018**

This is the first bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicants who are in jail since 30.07.2017 in connection with Crime No. 144/2017 registered at Police Station- Kusmunda, District Korba (CG) for the offence punishable under Section 379, 34 of IPC.

2. The allegation against the present applicants as per the prosecution is that they were involved in committing theft of a motorcycle.

3. Counsel for the applicants submits that the applicants have already remained in custody for a period of about 15 months and that the applicants are also young boys aged around 21-22 years. He submits

that considering the entire facts and the nature of offence, the applicants may be released on bail.

4. State counsel, however, opposes the bail application on the ground that there is all possibility of the applicants repeating the said offence if released on bail.

5. Considering the total facts and circumstances of the case, particularly the period of custody undergone and the nature of offence and also keeping in view the age of the applicants who are quite young boys of 21-22 years, this Court is of the opinion that prima facie a strong case for grant of bail has been made out.

6. Accordingly, the application for grant of bail is allowed. It is directed that the present Applicants will 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 before the said Court as and when directed.

**Sd/-
(P. Sam Koshy)
JUDGE**