

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4698 of 2018**

1. Ravikant Verma @ Ravi S/o Balram Verma Aged About 35 Years R/o- Bajrangpara Saraswati Chowk, Kohka, P.S. Supela, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
2. Ijajat Khan @ Chhote S/o Rehman Khan Aged About 21 Years R/o- Bajrangpara Saraswati Chowk, Kohka, P.S. Supela, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh
3. Jhanak Sen S/o Ramdin Aged About 23 Years R/o- Near Durga Mandir, Kokha, Bhilai, P.S. Supela, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Chowki Smriti Nagar, Police Station Supela, Civil And Revenue District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicants : Shri S.K. Agrawal, Advocate.
For the Respondent/State : Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.07.2018**

Heard.

1. This is the first bail application 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.406 of 2018, registered at Police Station – Supela, District – Durg, Chhattisgarh for the offence punishable under Sections 457 and 380/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 30.4.2018 and have been falsely implicated in this case. No case

is made out against the applicants on the basis of the material placed before the Court by the prosecution. Presently, the case is pending before the Judicial Magistrate First Class, Durg. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the applicants have criminal antecedents of having been prosecuted for similar offence on earlier occasions. Hence, no case is made out for grant of regular bail to the applicants.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, an incident of theft occurred in the house of complainant – Ashok Deshmukh, in which some cash and some gold ornaments were stolen. After lodging of FIR and during investigation, some articles have been recovered at the instance of these applicants.

6. As it is submitted by counsel for both the parties that no Test Identification Parade was conducted regarding the articles which may be subjected to verification from the record in the charge-sheet, hence, for these reasons, I am of the considered opinion that the applicants deserve to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge