

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 5899 of 2018**

1. Imran Kuraishi S/o Shri Alimuddin Kurashi Aged About 32 Years R/o Village Soram, Post Sindhi, P. S. Khallari, Tahsil Bagbahara, Distt. Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh
2. Bhushan Dhruv S/o Late Shri Ghanshyam Dhruv Aged About 20 Years R/o Village Soram, Post Sindhi, P. S. Khallari, Tahsil Bagbahara, Distt. Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh
3. Dhaneshwar Kanwar S/o Asharam Aged About 28 Years R/o Village Soram, Post Sindhi, P. S. Khallari, Tahsil Bagbahara, Distt. Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh
4. Mithlesh S/o Shri Bishat Aged About 18 Years R/o Village Soram, Post Sindhi, P. S. Khallari, Tahsil Bagbahara, Distt. Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through P. S. Khallari, Distt. Mahasamund Chhattisgarh, District : Mahasamund, Chhattisgarh

**---- Respondent -**

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For Applicants : Mr. Mayank Chandrakar, Advocate.

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

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

**Order On Board**

**04/09/2018**

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.124/2018 registered at Police Station— Khallari (Mahasamund), District— Mahasamund(C.G.) for the offence punishable under Sections 457 &

380/34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. They are in jail since 10.7.2018. No case is made out against them. Similarly placed co-accused Tirath Dhritlahre has been granted regular bail by this Court in MCRC No.5226/2018 vide order dated 14.8.2018, hence, it is prayed that they also be released on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. 120 liters of kerosene oil was stolen from Government Fair Price Shop, Pacheda. The applicants were apprehended while they were carrying away the stolen property. Hence, this case.
6. Taking into consideration all the material that is present in this case, and that there is no criminal antecedents of these applicants, further as it does not appear that the applicants are required to be kept in detention further for the purpose of investigation. Hence, for these reasons, I am of this view that this is a fit case where applicants should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/-each with one local surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

**(Rajendra Chandra Singh Samant)**

Judge

