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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 6129 of 2018**

Dhansingh Dhanuhar S/o Lakhan Lal Dhanuhar Aged About 21 Years R/o Sonpuri, Police Station Kotwali, District Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Outpost Manikpur, Police Station Kotwali Korba, District Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 6160 Of 2018**

Rakesh Kumar Tanwar S/o Pratap Singh Tanwar Aged About 22 Years R/o- Village- Lainga, Police Station- Pasan, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through- Station House Officer, Outpost- Manikpur, Police Station- Kotwali, Korba, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Respondent

For the Applicants : Shri S.B. Pandey, Advocate.
For the Respondent/State : Shri Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.09.2018**

Heard.

- Both these applications are being decided by this common order as they arise from the similar matter. These are the first bail applications of the applicants 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.163 of 2018, registered at Police Outpost

Manikpur, Police Station Kotwali, Korba, District – Korba, Chhattisgarh for the offence punishable under Sections 457, 380 and 395/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants in both the cases are in jail since 13.03.2018 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. Similarly placed co-accused persons – Mohd. Imron and Komal Sahu have been granted bail by this Court in M.Cr.C. No. 2607 of 2018, vide order dated 17.05.2018. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.

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

5. According to prosecution case, 70 kg of copper wire was stolen from SECL workshop. FIR was lodged. During investigation, 7.5 kg of copper wire has been recovered and seized from applicant – Dhansingh Dhanuwar and 6.5 kg of copper wire has been recovered and seized from applicant – Rakesh Kumar Tanwar. Hence, this case.

6. Considering the material present in the case-diary, the applicants have no criminal antecedents and taking into consideration the fact that similarly placed co-accused persons have been granted regular bail by this Court,

I feel inclined to grant regular bail to the applicants in both the cases.

7. It is directed that the applicants in both the cases 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