

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6690 of 2018

- Budeshwar Yadav S/o Ramayan Yadav Aged About 25 Years R/o Village Tikari, Police Station And Tehsil Masturi, District - Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Masturi, District - Bilaspur, Chhattisgarh.

---- Respondent

AND

MCRC No. 6891 of 2018

- Dharmendra Khandekar S/o Shri Purushottam Khandekar Aged About 30 Years R/o Village Mohtara Police Station Masturi District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through House Officer Police Station Masturi District Bilaspur Chhattisgarh

---- Respondent

For Applicant (in MCRC 6690/2018) : Mr. Umakant Singh Chandel, Advocate
For Applicant (in MCRC 6891/2018) : Mr. Rajeev Kumar Dubey, Advocate
For Respondent/State : Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order on Board

11/10/2018

1. Since both the cases arise out of same crime number, therefore, they are being disposed of by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C for grant of regular bail as they are arrested in

connection with Crime No. 331/2018 registered at Police Station- Masturi, Distt. Bilaspur (C.G.) for the offence punishable under Sections 457, 380, 342 & 34 of the IPC.

3. As per prosecution story, on 12.08.2018 complainant Sanjay Tiwari @ Golu supervisor of liquor shop made a complaint, wherein, it was stated that on 12.08.2018 he has kept Rs. 7,23,460 at his liquor godown in front of sales men Budheshwar Yadav/applicant, Dharmendra/applicant, Anuj/co-accused and Rajeshwar/co-accused, which was stolen by some unknown person. On the basis of said report offence has been registered. During course of investigation, on the basis of memorandum statement of both the applicants, police has recovered Rs. 50,000-50,000/- from both the applicants and they have been arrested on 12.08.2018.
4. Learned Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. They further submit that the applicants have no criminal antecedents, they are in jail since 12.08.2018 and trial will take some time. Therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned counsel for both the parties.
7. Considering the above facts and circumstances of the case, evidence collected by the prosecution. Particularly considering the fact that the applicants have no criminal antecedent, they are in custody since 12.08.2018 and trial will likely to take some time to conclude, without

further commenting on merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety in the like sum to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

**Sd/-
(Arvind Singh Chandel)
Judge**