

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 7447 of 2018

- Devvrat S/o Chandulal Verma Aged About 28 Years R/o Village Mopka, Police Station Bhatapara (Rural) District Balodabazar-Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Simga, District Balodabazar-Bhatapara Chhattisgarh

---- Respondent

AND

MCRC No. 8104 of 2018

- Anil Savra S/o Albela Savra Aged About 28 Years R/o Hathband, Tahsil And P. S. Simga, District Baloda Bazar-Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Simga, District Baloda Bazar-Bhatapara Chhattisgarh

---- Respondent

For Applicant (in MCRC 7447/2018) : Mr. Amiyakant Tiwari, Advocate
For Applicant (in MCRC 8104/2018) : Ms. Richa Dwivedi, Advocate
For Respondent/State : Mr. Sangharsh Pandey, Dy. GA

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

01/12/2018

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 Istgasha No. 3/2018 registered at Police Station-Simga, Distt. Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Sections 41 (1+4) of CRPC read with Section 379 of the IPC.

3. As per prosecution story, on the basis of memorandum statement of applicant Devrat in MCRC No. 7447/2018 total 10 mobile phones and on the basis of memorandum statement of applicant Anil Savra in MCRC No. 8104/2018 total 34 mobiles phones have been seized by the police which they have possessed in suspicious condition, thereafter they are in custody since 21.08.2018.
4. Counsel for the applicants submit that both the applicants are innocent and have been falsely implicated in the present case. The applicants are in custody since 21.08.2018, they further submit that the offence is triable by Judicial Magistrate First Class, charge-sheet is not filed yet and trial will likely to take some time to conclude, therefore, the applicants 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, particularly considering the fact that the applicants are in custody since 21.08.2018, offence is triable by JMFC and trial will likely to take some time to conclude, without further commenting on merit 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 local 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**