

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7477 of 2018**

- Shashank Tiwari @ Shani S/o Shri Dhruv Kumar Tiwari Aged About 20 Years R/o J-9a, Shriram Nagar, Street-2, Phase-1, P. S. Mova, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. New Rajendra Nagar, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

And**MCRC No. 7872 of 2018**

- Subham Bhalkar S/o Late Shri Anil Bhalkar Aged About 20 Years R/o Chhattisgarh Nagar Near Bhamashah School Police Station Tikrapara Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Of Police Station New Rajendra Nagar Raipur Tahsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicants : Ms. Rashmi Tiwari and Ms. Smita Jha, Advocates.

For Non-applicant : Shri S.K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****10.12.2018**

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail application under Section 439 of the Cr.P.C. preferred by

the applicants before this Court and no other bail application is pending before any other Court.

3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 154/2018 registered at Police Station – New Rajendra Nagar Raipur Tahsil And District Raipur (C.G.) for the offence punishable under Section 380, 394 of the IPC.
4. Case of the prosecution, in brief is that on 02.08.2018 at about 2 pm at Ghasidas Colony, Raipur, from the house of the complainant H.D. Banjare two unknown persons stolen gold ring 3, golden earrings 14, golden chain 1, silver coin 1, Rs. 1400/- cash. On the memorandum of applicant Shashank Tiwari 1 golden chain, 3 gold rings, 1 golden ear top, cash Rs. 1200/- seized from him. On the memorandum of applicant Subham Bhalkar 6 golden ear tops, 6 golden earrings, cash Rs. 1200/- have been seized from him. Seized articles were identified by the complainant.
5. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
7. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if each applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 25,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE