

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7503 of 2018**

Bheem Singh, S/o Late Vinod Singh Rajput, aged about 27 years, R/o Chirmiri, Police Station Chirmiri, District Korea (C.G.)

----Applicant

Versus

State of Chhattisgarh- Through Station House Officer, Police of Police Station Chirmiri, District Korea (C.G.)

---- Non-applicant

M.Cr.C. No. 7657 of 2018

Ebnul Hasan, S/o Emamul Hasan (wrongly mentioned as Emamu), aged about 25 years, R/o Chhota Bazar, Chirmiri, Police Station Chirmiri, District Korla (C.G.)
(As per the remand)

----Applicant

Versus

State of Chhattisgarh- Through Station House Officer, Police of Police Station Chirmiri, District Korea (C.G.)

---- Non-applicant

For Applicants	: Shri Anil Gulati, Advocate.
For State	: Shri Adhiraj Surana, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

30/10/2018

Heard.

1. Above mentioned two bail applications filed under Section 439 of the Cr.P.C. arise out of a common Crime No.197/2018, registered at Police Station Chirmiri, District Korea, for the offence punishable under Section 379 of the Indian Penal Code, therefore, they are being heard analogously and decided by this Common Order..

2. Case of the prosecution, in brief, is that present applicants and other co-accused persons have stolen the diesel of 152 liter from the Truck bearing registration No. C.G.-15-

AC-1835, which was running under the transport Company known as J.K. Roadways and thereby committed the aforesaid offence.

3. Learned counsel appearing for the applicant would submit that the applicant has falsely been implicated in the crime in question as he has not committed any offence. He further submits that the applicants are in detention since 27.08.2018, and the charge sheet is yet to be filed but substantial investigation has already been made and no useful purpose would be served in keeping them in jail and therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the nature and the gravity of the offences and considering the nature of allegation made against the applicants and the facts that applicants are in jail since 27.08.2018 and charge sheet is yet to be filed but substantial investigation has already been made; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

7. Accused/applicants – **Bheem Singh & Ebnul Hasan** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

