

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8839 of 2018

1. Yashwant S/o Lallu Ram , Aged About 18 Years R/o Village Mohgaon ,tahsil Chhuikhadan ,district Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh
2. Naneshwar S/o Jangaldas Aged About 18 Years R/o Village Mohgaon ,tahsil Chhuikhadan ,district Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer ,police Of Police Station -Gandai , District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicants : Shri Abhishek Sharma, Advocate.

For Non-applicant : Shri S. Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

01.12.2018

1. This is 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.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 168/2018 registered at Police Station – Gandai , District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that in the intervening night of 25th and 26th July, 2018 from Govt. Middle School Gandai two sets of computer, one printer, 4 speaker, 2 mouse have been stolen by some unknown persons.
4. Learned counsel for the applicants submitted that they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submitted that one criminal case has been registered against both applicants u/s 457, 380, 34 IPC.
6. On the memorandum of the applicant Yashwant one monitor, 1 CPU, 1 keyboard, 1 mouse and from the memorandum of the applicant Naneshwar 1 monitor, 1 CPU, 1 keyboard and 1 mouse were seized.
7. Looking to these 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. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, 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