

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8916 of 2018

1. Varindar Singh S/o Shri Balvindar Singh Aged About 25 Years R/o Q. No. 495/5/A, Balko Nagar, Thana Balko Nagar, Korba District Tahsil Korba Chhattisgarh, District : Korba, Chhattisgarh
2. Simarjeet Singh S/o Nirmal Singh Aged About 28 Years R/o Q. No. 495/5/A, Balko Nagar, Thana Balko Nagar, Korba District Tahsil Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through District Magistrate, Police Station Balko Nagar, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Samir Singh, Advocate.
For Non-applicant	: Shri Neeraj Sharma, Dy. Government Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

05.12.2018

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. 349/2018 registered at Police Station – Balko Nagar, District Korba (C.G.) for the offence punishable under Section 392/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 11.09.2018 at about 8:30 pm at village Risdi complainant Shyama Charan was returning back to his house. Two unknown persons came on motorcycle and snatched his double sim mobile. IMIE Nos. were 357110090432341 and 35711109/04323/44/9. On the memorandum of applicant No. 1 Varindar Singh one mobile bearing same IMIE No. was seized. Complainant also identified him during TIP. From applicant No. 2 Simarjeet Singh one motorcycle was seized.
4. 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.
5. On the other hand, learned counsel for the State opposes the bail application and submits that one criminal case is registered against applicant No. 1 under 392 IPC and there is no antecedent against the applicant No. 2 Simarjeet Singh.
6. 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 applicant No.1 **Varindar Singh** 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, he shall be released on bail. If the applicant No. 2 **Simarjeet Singh** furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Trial Court, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE