

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 274 of 2019

- Vinay Thakur, S/o Shri Ramashish Thakur, aged about 18 years, R/o Near Manas Mandir, Doomartalaab, P.S. Amanaka, District- Raipur, C.G.

---- Applicant

Versus

- State of Chhattisgarh, Through Police Station Amanaka, District- Raipur, Chhattisgarh.

---- Respondent

AND

MCRC No. 399 of 2019

- Seenu Yadav, S/o Lt. Ramu Yadav, aged about 22 years, R/o Kukur Beda Raipur, Police Station – Amanaka, Raipur, Tahsil and District- Raipur, C.G.

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police Station Amanaka, District- Raipur, Chhattisgarh.

----Respondent

For Applicant (in MCRC No. 274/2019) :	Shri Anchal Kumar on behalf of Shri Devershi Thakur, Advocates.
For Applicant (in MCRC No. 399/2019) :	Shri D.L.Dewangan, Advocate.
For State/Respondent :	Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

01/02/2019

1. Heard.
2. Since both cases arise out of the same Crime No., therefore, they are being disposed of by this common order.
3. The Applicants have preferred their first bail applications under Section 439 of Cr. P.C. for grant of regular bail as they are arrested in connection with Crime No. 226/2018, registered at Police Station – Amanaka, District-

Raipur, Chhattisgarh for the offence under Section 457, 380/34 of the Indian Penal Code.

4. As per the prosecution story, on 31.08.2018 a report was made by Sunil Shah alleging therein that some unknown persons have stolen some machinery articles from his factory. On the basis of the said report, offence has been registered against the unknown persons. Allegedly, present Applicants were also involved in the same offence. Applicant in MCRC No. 274/2019 and Applicant in MCRC No. 399/2019 have been taken into custody on 04.09.2018 & 02.09.2018 respectively.
5. Learned Counsel appearing on behalf of the Applicants submit that the Applicants are innocent and have been falsely implicated in the case. They further submit that there is nothing on record on the basis of which any offence can be made out against the present Applicants. They also states that co-accused namely Jhumaru Yadav has already been granted bail by this Court vide order dated 15.11.2018 passed in MCRC No. 8433/2018. Applicants namely Vinay Thakur and Seenu Yadav are in custody since 04.09.2018 and 02.09.2018 respectively, they don't have any criminal antecedent and trial will take time. Therefore, they may be released on bail.
6. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
7. I have heard learned Counsel for the parties and perused the case diary.
8. Considering the entire facts and circumstances of the case, particularly that the Applicants in MCRC No. 274/2019 and in MCRC No. 399/2019 are in custody since 04.09.2018 and 02.09.2018 respectively, they don't have any criminal antecedent and trial will take some time, without further commenting on merit of the case, I am inclined to release the Applicants on bail.
9. Accordingly, the bail application is allowed.
10. 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 solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge