

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 678 of 2019**

- Amit Kumar Bhandari S/o Vijay Bhandari Aged About 26 Years R/o Krishna Nagar Gali No. 3, Gudiyari ,police Station Gudiyari Raipur Tahsil And District Raipur Chhattisgarh. Mo.No. 7415776625, District : Raigarh, Chhattisgarh

----Applicant**Versus**

- State Of Chhattisgarh Through Station House Offcier ,police Station Devendranagar Raipur ,civil And Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non Applicant**MCRC No. 863 of 2019**

- K. Azaz Ahmed S/o K. Niyas Ahmed Aged About 29 Years R/o Gauri, Gaura Chowk, Santoshi Nagar, P. S. Tikrapara Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Devendra Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

.....Non Applicant

For the Applicant	:	Ms. Sunita Sahu and Shri Sayad Imtiaz, Advocates
For Non Applicant	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14.02.2019**

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. 218/2018 registered at Police Station- Devendra Nagar Raipur Civil and Revenue, District- Raipur (C.G.) for the offence punishable under Sections 457, 380 of the Indian Penal Code.
4. Case of the prosecution, in brief is that in the intervening night of 15/11/2018 and 16/11/2018 from the shop of complainant Aman Atlani named and styled as Atlani's showroom in front of Kalyan jewellers Devendra Nagar, Raipur cash Rs.33,740/- had been stolen by some unknown persons, miscreants tried to break the chest.
5. On the memorandum of applicant Amit Kumar, two notes of denomination 500 rupees , one gas cutter were seized from him. On the memorandum of applicant Azad Ahmed, one note of denomination of 500 rupees, one hammer were seized from him.
6. 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.

7. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
8. 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 one solvent surety for a sum of Rs.25,000/- 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.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul