

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1136 of 2019**

Kishan Das S/o Late Sohan Das Aged About 25 Years R/o Jailpara,
Pragati Nagar, Raigarh, District Raigarh Chhattisgarh., District :
Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Incharge, Police Chowki- Jut Mill,
Police Station- City Kotwali, Raigarh, District Raigarh Chhattisgarh.,
District : Raigarh, Chhattisgarh.

---- Respondent

ALONG WITH**MCRC No. 1277 of 2019**

Gopal Bareth S/o Kirtan Bareth Aged About 45 Years R/o Village
Andola Police Station Kosir ,at Present Godown Of Mulla Seth
,raigarh District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station Officer, Police Station Chowki
Jut Mill ,raigarh District Raigarh Chhattisgarh., District : Raigarh,
Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Ashish Gupta, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**19/03/2019**

1. Above mentioned two first bail applications arise out of a common Crime No. 66/2019 registered at Police Chowki Jut Mill, P.S. City Kotwali, District Raigarh, for the offence punishable under Sections 457, 380, 34 of IPC, therefore, they are being heard analogously and decided by this common order. All the bail applications filed under Section 439 of CrPC.
2. Case of the prosecution, in brief is that complainant Ashish Agrawal runs a business in the name and style of Mukesh Traders. During 10/01/2019 to 20/01/2019 from the godown of the complainant situated at Arwa Mill Mitthumuda seven fridge, four symphony coolers had stolen by some unknown person. On the memorandum of applicant Kishan Das four

Symphony Coolers, five fridge of Godrej company and another fridge of Gemini company, one washing machine of Gem company were seized from him. Three coolers, one washing machine and three fridge were the same articles, which had been stolen.

3. The complicity of the applicant Gopal Bareth is described in the memorandum of applicant Kishan Das which is not admissible in evidence.
4. Learned counsel for the applicants submitted that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicants.
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 the applicant **Kishan Das** 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 Court with the condition that he shall 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.
7. 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 the applicant **Gopal Bareth** 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 Court with the condition that he shall 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