

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1183 of 2019**

1. Narendra Kumar Sahu @ Panchu Sahu, S/o Shri Jainarayan Sahu Aged About 19 Years R/o Village Tolga, Police Station and Tehsil and Khadgawan, District Koriya, Chhattisgarh.
2. Vinod Kumar Sahu S/o Santosh Kumar Sahu Aged About 20 Years R/o Village Tolga, Police Station and Tehsil and Khadgawan, District Koriya, Chhattisgarh.
3. Vinod Kumar S/o Balliram Sahu Aged About 21 Years R/o Village Tolga, Police Station and Tehsil and Khadgawan, District Koriya, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Police Station Khadgawan, District Koriya, Chhattisgarh.

---- Respondent

For Applicants	: Shri Pawan Shrivastava, Advocate.
For Respondent/State	: Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**01/03/2019**

1. The Applicants have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 146/2018, registered at Police Station – Khadgawan, District – Koriya, Chhattisgarh, for the offence punishable under Sections 457, 380, 411 of IPC.
2. As per the prosecution story, on 18.10.2018 a report was made by Complainant Radhika Prasad Sahu wherein it has been stated that in the intervening night of 16.10.2018, some unknown persons entered

into the shop as well as in the house of the Complainant and stole some mobile phones, ornaments and cash total amounting Rs. 49,600/-. During course of investigation, on the basis of the memorandum statement of the Applicants, two mobile phones, cash of Rs. 6,500/- and some ornaments have been seized from Applicant No. 01, two mobile phones, cash of Rs. 4,000/- and some ornaments have been seized from Applicant No. 02 and two mobile phones, cash of Rs. 3,500/- and some ornaments have been seized from Applicant No. 03. On the basis of the said, offence has been registered. They were taken into custody on 13.01.2019.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that Applicants have no previous criminal antecedents, charge-sheet has been filed, they are in custody since 13.01.2019 and trial is likely to take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicants have no previous antecedents, they are in custody since 13.01.2019 and trial is likely to take some time, without further

commenting on merits of the case, I am inclined to release them on bail.

7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them furnishing 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