

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1897 of 2019**

Lucky @ Rizwan S/o Rafeeq Solanki Aged About 22 Years R/o Ward No. 16 Dauchora Khairagarh, P.S. And Tahsil Khairagarh, District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through - Station House Officer, Police Station - Khairagarh, District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Respondent

ALONG WITH**MCRC No. 2227 of 2019**

Vijay Yadav S/o Nandkishore @ Nandlal Aged About 21 Years R/o Ward No. 06, Bareth Para, Khairagarh, Police Station Khairagarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Khairagarh, District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Aditya Bhardwaj, Advocate (MCRC No.1897/2019)
	:	Shri Abhishek Sharma, Advocate (MCRC No. 2227/2019)
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/04/2019**

- Both the first application filed under Section 439 of CrPC and arise out of a common Crime No. 297/2018 registered at Police Station Khairagarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 457, 380, 34 of IPC, therefore, they are being heard analogously and decided by this common order.
- Case of the prosecution, in brief is that complainant Bhupendra Singh is the salesman of Government Fair Price Shop of Ghotiya. In the intervening night of 17.10.2018 & 18.10.2018 two tablets of Samsun

Company, cash of Rs. 1500/- were stolen by some unknown persons from that shop. On the memorandum of applicant Lucky @ Ruzwan recorded in Crime No.299/2018 at Police Station Khairagarh. Rs.35,000/- seized from him. On the memorandum of applicant Vijay Yadav Rs.35,000/- cash and one tablet of Samsung company were seized from him.

3. Learned counsel for the applicants submitted that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
4. On the other hand, counsel for the State submitted that two other similar type of criminal cases are registered against each of the applicant.
5. 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 applicants furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- each to the satisfaction of the trial Court concerned with the condition that they will not involve themselves in any of the crime in future, they shall be released on bail.
6. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge