

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2736 of 2019**

1. Shankar Kumar Surendra, son of Pawan Kumar, aged about 19 years, R/o Ward No.2, Azad Nagar, Dallirajhara, District Balod (CG).
2. Yusuf Khan, son of late Fool Mohd., aged about 22 years, R/o Ward No.4, In front of Gurudwara, Dallirajhara, District Balod (CG).

---- Applicants**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Bhanupratappur, District Kanker (CG).

---- Non-applicant

For Applicants : Mr. Rajkumar Pali, Advocate.

For Non-applicant : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****08.05.2019**

1. This is 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.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.139/2019 registered at Police Station Bhanupratappur, District Kanker for the offence punishable under Sections 457, 380 of Indian Penal Code.
3. Case of the prosecution, in brief is that in the intervening night of 03/04.11.2018 at village Gajara from the house of complainant Shahid Jamale, one mobile of Vivo company, some golden ornaments, some silver ornaments and some documents of motorcycle were stolen by some unknown persons. On the memorandum of applicant Yusuf Khan, some ornaments and one mobile have seized from him. On the memorandum of applicant Shankar Kumar Surendra, some ornaments have seized from him. The seized ornaments have been identified by wife of the said complainant.
4. Counsel for the applicants submits that the applicants have not committed any offence. They are innocent and have been falsely implicated in the present case, therefore, they may be released on bail.
5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicants in police case diary.
6. Looking to the above mentioned facts and circumstances of the case, the bail application of the applicants is allowed. It is ordered that if the applicants furnish two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs.50,000/- each to the satisfaction of the concerned Trial Court with the condition that they shall appear before the Trial Court at 11:00 am as and when directed till trial and they would co-operate during the trial, they shall be released on bail and they shall not involve any such type of crime in future.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE