

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2751 of 2019**

- Ganesh Prajapati S/o Munna Prajapati Aged About 26 Years R/o Sant Mata Karma Ward, Bhatapara, Tahsil And District Balodabazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Bilaigarh Police Station, District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

MCRC No. 2877 of 2019

- Sheetal Sanwara S/o Shri Gulfi Sanwara Aged About 22 Years R/o Sant Ravi Das Ward Bhatapara, Thana Bhatapara, (Town), Civil And Revenue District Balodabazar Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Bilaigarh, Civil And Revenue District Balodabazar Bhatapara, Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicants : Shri B. Madhva Rao and Shri Sumit Shrivastava, Advocates.

For Non-applicant : Ms. M. Asha, Panel Lawyer along with the Investigating Officer Mahesh Kumar Dhruv, P.S. Bilaigarh

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****15.05.2019**

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. 45/2019 registered at Police Station – Bilaigarh, District- Balodabazar - Bhatapara (C.G.) for the offence punishable under Section 379, 411 IPC and 41(1-4) Cr.P.C.
4. Case of the prosecution, in brief is that on memorandum of Ganesh Prajapati recorded in crime No. 45/2019 by the police station Bilaigarh 8 mobiles were seized from him in Istgasa No. 0/2019. On the memorandum of applicant Sheetal Sanwara regarding Istgasa No. 0/2019 by the police station Bilaigarh 7 mobiles were seized from him.
5. 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.
6. On the other hand, learned counsel for the State opposes the bail application, however, submits that one another criminal case is registered against the applicants.
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 each applicant furnishes one solvent surety for a sum of Rs.25,000/- each 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.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE