

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 3086 of 2019**

1. S.K. Mofuruddin, S/o S.K. Anwaruddin, aged about 34 years, R/o village Deoldanga, P.S. Kotwali, West Medinapur, West Bengal presently residing at College Road Mahantipara House of Ajay Verma, P.S. Bargad, District Bargad (Odisha).
2. S.K. Hakimuddin, S/o Shri S.K. Ajimuddin, aged about 21 years, R/o village Jainagar, P.S. Jhargram (West Bengal), presently residing at College Road, Mahantipara House of Ajay Verma, P.S. Bargad District Bargad (Odisha).

---- Applicants**Versus**

State Of Chhattisgarh, through Station House officer, Police Station Saria, Tahsil Baramkela, District Raigarh (CG).

---- Non-applicant

For Applicants	:	Mr. Ashutosh Shukla, Advocate.
For Non-applicant	:	Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****16.05.2019**

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.01/2019 registered at Police Station Saria, Raigarh, District Raigarh for the offence punishable under Sections 41(1-4) CRPC, 379/34 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 27.03.2019 at about 15:00 hrs at village Kanchanpur during patrolling ASI Janak Ram Sahu seized some golden ornaments from the present applicants.
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 facts and circumstances of the case, the bail application is allowed. It is directed that if the applicants furnish one solvent surety for a sum of Rs.25,000/- each along with a personal bond in the like sum 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

L/-