

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4016 of 2019**

1. Omprakash Sahu S/o Chhatram Sahu Aged About 19 Years R/o Tendudarha, Police Station Sarsiwa, District- Balodabazar-Bhatapara, Chhattisgarh.
2. Rajendra Sahu S/o Khem Lal Sahu Aged About 19 Years R/o Piparbhawna, Police Station Sarsiwa, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Applicants**Versus**

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

---- Respondent

For the Applicants : Shri C.R. Sahu, Advocate.
 For the Respondent/State : Shri Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****31.07.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.161 of 2019, registered at Police Station – Bilaigarh, District – Baloda Bazar - Bhatapara, Chhattisgarh for the offence punishable under Section 379 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 28.5.2019 and have been falsely implicated in this case. Both the applicants are young men of tender age having no criminal antecedents. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. Complainant – Vinod Kumar Dhritlahre lodged FIR regarding theft of his motorcycle bearing registration No. C.G. 25-7992. During investigation, at the instance of these applicants the said motorcycle has been seized from their possession. Hence, this case.
6. After considering the entire material present in the case-diary and taking into consideration the fact that both the applicants are aged about 19 years only and they do not have any criminal antecedents. Hence, for these reasons, I feel inclined to grant regular bail to the applicants.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge