

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4373 of 2019**

1. Sunil Kumar Chaturvedi S/o Shivdas Chaturvedi Aged About 23 Years
R/o Pendri, Bhatapara Gramin, District- Baloda Bazar, Chhattisgarh.,
District : Balodabazar-Bhathapara, Chhattisgarh
2. Narendra Sonwani S/o Shyamlal Sonwani Aged About 21 Years R/o
Kodebod, Bhatapara, Outpost- Birejhar, Police Station- Kurud, District-
Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh
3. Pankaj Vishwakarma S/o Siyaram Vishwakarma Aged About 22 Years
R/o Gatapar, Outpost- Birejhar, Police Station- Kurud, District-
Dhamtari, Chhattisgarh., District : Dhamtari, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Outpost- Birejhar,
Police Station- Kurud, District- Dhamtari, Chhattisgarh

---- Respondent**And****M.Cr.C. No. 4374 of 2019**

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---- Respondent

For the Applicants : Shri Anil Gulati, Advocate.
For the Respondent/State : Shri Vimlesh Bajpayee, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****07.08.2019**

Heard.

1. Both these applications are being decided by this common order as they arise from the same incident with different Crime No. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to these applicants who have been arrested in connection with Crime Nos. 245 of 2019 & 262 of 2019, registered at Outpost- Birejhar, Police Station Kurud, District – Dhamtari, Chhattisgarh for the offence punishable under Sections 457 and 380 r/w 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 10.06.2019 and have been falsely implicated in this case. They have not committed any offence. All the offences registered against the applicants only on the basis of one single memorandum which shows their false implication and the concoction against them. In similar two other cases these accused persons have been enlarged on bail by the Sessions Court itself. Investigation in both the cases has nearly completed. Hence, it is prayed that the applicants be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that in total four cases of theft have been registered against these applicants which shows that these applicants are habitual offenders. Therefore, their applications be rejected.

4. Heard counsel for both the parties and perused the case diary.

5. In Crime No. 245 of 2019, complainant - R.N. Chandrakar, Principal of Govt. Higher Secondary School, Avri has lodged F.I.R. regarding the theft of computer articles and L.E.D. T.V. from the premises of the school. In Crime No. 262 of 2019, complainant - Lal Chand Dhritlahre, who happens to be the Principal of Govt. Middle School, Sirri lodged F.I.R. regarding theft of computer articles and L.E.D. T.V. etc. from the premises of the school. Some articles have been recovered from the possession of these applicants. Hence, this case.

6. There is a single memorandum on the basis of which all the cases have been investigated. As it appears that these applicants are young men of tender age and apart from these cases, there are no previous cases registered against them, I feel inclined to grant regular bail to the applicants in both the cases.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases 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

Nimmi