

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4833 of 2019

1. Gurudayal Singh S/o Hindu Singh, Aged About 39 Years, R/o 51, Mundla, Nayta, Indore, District - Indore (M. P.), District : Indore, Madhya Pradesh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station - Civil Line, Raipur District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

MCRC No. 4943 of 2019

1. Balbir Singh S/o Parvat Singh, Aged About 22 Years, R/o Doongarpur, Behind Nagar Palika Nigam, Police Station Chitri, Tehsil and District Doongarpur (Rajasthan), Rajasthan

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Civil Lines Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

--- Non-applicant

For Applicant– Shri Surfaraj Khan, Advocate (in MCRC No.4943 of 2019),
Shri Sangeet Kumar Kushwaha, Advocate (in MCRC
No.4833 of 2019).

For Non-applicant/State – Shri Kapil Maini, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

27-08-2019

1. As both these applications arise out of the same crime number, i.e., Crime No.288/2019 registered at P.S. Civil Lines Raipur, District Raipur, Chhattisgarh for offence under Section 380/34 of the IPC, they are being decided by this common order.

2. MCRC No.4833 of 2019 has been filed by applicant Gurudayal Singh and MCRC No.4943 of 2019 has been filed by applicant Balbir Singh for grant of regular bail under Section 439 of the Cr.P.C. as applicant Gurudayal Singh has been arrested on 16-05-2019 and applicant Balbir Singh has been arrested on 17-05-2019 in connection with aforesaid crime number and offence.

3. It is submitted by learned counsel for applicants that these applicants have been falsely implicated in this case. Applicant Gurudayal Singh is in jail since 16-05-2019 and applicant Balbir Singh is in jail since 17-05-2019. These applicants have not committed any offence. Charge sheet has been filed after completion of the investigation. Therefore, it is prayed that they may be granted bail.
4. Learned counsel for the State/non-applicant opposes the applications.
5. Heard learned counsel for the parties and perused the case diary.
6. Complainant Sanjay Kumar Jaiswal has lodged the FIR stating that these applicants came to his house on the pretext that they will repair the lock of the almirah and during the time they were repairing, they secretly have stolen the gold and silver ornaments from the locker of the said almirah and made misleading statement to the complainant that they have not been able to repair the lock of the almirah. When the complainant called another locksmith and got the almirah opened he found that jewelry worth of Rs.2,00,000/- were stolen by the unknown persons.
7. As the case is now pending for trial, both the applicants do not have any criminal antecedent, therefore, I feel inclined to allow both these applications.
8. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. 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 Court, for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge