

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4984 of 2019**

1. Damrudhar Sidar, S/o. Padum Sidar, Aged About 20 Years
 2. Tejram Sidar, S/o. Baraturam Sidar, Aged About 20 Years
 3. Suraj Sidar, S/o. Devsingh Sidar, Aged About 18 Years
- All are R/o Village Suti, Tahsil and Police Station - Kharsia, District Raigarh Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station - Kharsia, District Raigarh Chhattisgarh.

---- Respondent

For Applicants	: Mr. M.K. Jaiswal, Advocate
For Respondent/State	: Mr. Kapil Maini, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

28/08/2019

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.288/2019, registered at Police Station – Kharsia, District – Raigarh (C.G.) for the offence punishable under Section 457, 380, 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 16.07.2019. No case is made out against the applicants according to the material present in the case diary. The applicants are young man of tender age and they have no criminal antecedents. Therefore, it is prayed that the applicants may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, FIR was lodged regarding theft of old phone and some sport articles worth Rs.4,000/- from the government school building. During the investigation, some of the stolen articles have been seized from the possession of this applicants.
6. Considered on the submissions made and the contents of the case diary. Considering the facts that the applicants do not have any criminal antecedents and investigation in this case is complete, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge