

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5346 of 2019

Govind @ Govinda, S/o. Baliram, Aged About 27 Years, R/o. Village Rohina,
Police Station and Tahsil - Saraipali, District Mahasamund, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : The Station House Officer, Police Station
Sarangarh, District Raigarh Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 5723 2019

Gayaram Tekam, S/o. - Shri Shankarshan Tekam, Aged About 30 Years, R/o.
- Village Rohina, Police Station and Tahsil Saraipali, District Mahasamund
Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : The District Magistrate, Raigarh District
Raigarh Chhattisgarh.

---- Respondent

For Applicant (in M.Cr.C. No.5346/19) : Mr. Roop Naik, Advocate
For Applicant (in M.Cr.C. No.5273/19) : Mr. Raghavendra Pradhan, Advocate
For Respondent/State : Mr. Arijit Tiwari, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

27/09/2019

1. Both this bail applications are heard and decided together by this
common order as they are arising out of the same crime number and
the incidents.

2. These are the first bail applications 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.151/2019, registered at Police Station – Sarangarh, District – Raigarh (C.G.) for the offence punishable under Section 379 of the Indian Penal Code.
3. It is submitted by the learned counsels for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 01.06.2019. These applicants have not committed any offence. Charge-sheet in this case has been filed. Therefore, it is prayed that the applicants may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. Complainant – Rajendra Kumar Nishad has lodged FIR regarding theft of his tractor bearing No.C.G.-13-L-0724. During the investigation, the stolen tractor was seized from the compound of the applicant -Gayaram Tekam at the instance of this applicant Govind.
7. Considered on the submissions made and the contents of the case diary. Considering that these applicants do not have any criminal antecedents, the case is trial by JMFC and the case is now pending for trial, 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.
8. Accordingly, both the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. 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

Balram