

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5549 of 2019

- Alimuddin S/o Syed Uddin Aged About 40 Years R/o Chopdar Pura, Ward No. 22, Budhwara Bhopal, Zone -2, Bhopal, District Bhopal Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Durg, District Durg Chhattisgarh.

---- Respondent

MCRC No. 5842 of 2019

- Shiv Kumar Warior S/o Late T.S. Warior Aged About 38 Years R/o Khursipar Bhilai P.S. Bhilai, District- Durg, Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, District- Durg, Chhattisgarh.

---- Respondent

For Applicants	: Shri Ashish Shukla, Shri Vipin Singh and Shri Rahil Kochar, Advocates
For Respondent/State	: Shri Samir Sharma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/11/2019

As both these M.Cr.C's arise out of the same crime number they are being disposed of by this common order.

The applicants have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are

in custody in connection with Crime No. 506/2019 registered at police station City Kotwali, district Durg (CG) for the offence punishable under Sections 406,420 and 34 IPC.

As per case of the prosecution, complainant has lodged a report at police station Durg that co-accused Shiv Kumar has taken his truck on lease for a sum of Rs. 1,90,000/-, which was subsequently sold by him to some other person.

Counsel for the applicants submits that the applicants have been falsely implicated. It is further submitted that the offences alleged against the applicants are triable by the Magistrate; the charge sheet has already been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion. It is also submitted that the applicants are in jail since 06.06.19.

On the other hand, learned counsel for the State opposes the bail applications.

Considering the totality of the facts and circumstances of the case, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond of Rs. 50,000/- each with one surety in the like sum to the satisfaction of the concerned court for their appearance before it as and when directed, they shall be released on bail.

Sd/-
(Rajani Dubey)
Judge

