

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5969 of 2019

- Govind Basour @ Seth S/o - Ram Prasad Basour, Aged About 34 Years R/o - Village Budhela, Post Office And Police Station Baidan, District Singhrouli Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Chandani District Surajpur Chhattisgarh

---- Respondent

MCRC No. 6103 of 2019

1. Ramkumar Basour @ Majhila And Ors. S/o Sankhlal Basour Aged About 30 Years R/o - Village-Budhela, Post Office And Police Station- Baidan, District - Singhrouli Madhya Pradesh,
2. Sipahi Lal @ Ramvriksh Basour S/o Janak Lal Basour Aged About 28 Years R/o - Village - Lamidah, Post Office And Police Station - Sarai, District - Singhrouli Madhya Pradesh
3. Bahadur Basour S/o Janak Lal Basour Aged About 34 Years R/o - Village - Lamidah, Post Office And Police Station - Sarai, District - Singhrouli Madhya Pradesh

---- Applicants

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Chandani, District- Surajpur Chhattisgarh

---- Respondent

For Applicants : Shri Shivendu Pandya, Advocate
For Respondent/State : Smt. Reena Singh, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

07/11/2019

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. 51/2018 registered at police station Chandani, district Surajpur(CG) for the offence punishable under Sections 457 and 380,34 IPC.

As per case of the prosecution, the applicant along with co-accused persons committed theft of mobile, jewelery and cash of Rs. 20,000/-, in the house of the complainant.

Counsel for the applicants submits that the applicants have been falsely implicated. He submits that the co-accused has already been granted bail by this Court and therefore the applicants may also be given the benefit. 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 04.01.19.

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