

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6124 of 2019

- Ramcharan Chauhan, S/o Virsai Aged About 26 Years By Caste Chauhan, R/o Vijay Nagar, Junadih, Tahsil Dipka, District Korba Chhattisgarh.
- Fuleshwar Kashyap S/o Shri Ramayan Prasad Aged About 30 Years By Caste Kashyap, R/o Bamhani Kona, Chowki Hardi Bazar, Tahsil Pali, District - Korba Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Dipka, District Korba Chhattisgarh.

---- Respondent

For Applicants	: Shri Kunal Das, Advocate
For Respondent/State	: Shri B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

23/10/2019

The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 147/2019 registered at police station Dipka, District Korba (CG) for the offence punishable under Sections 461,379,34 IPC.

As per prosecution case, the applicants committed theft of 85 liters of Diesel by drilling and were caught red handed by the Security Guard of the Gevra Mines, along with white colour Bolero vehicle.

Counsel for the applicants submits that the applicants are

innocent and they have been falsely implicated. He submits that the applicants are in jail since 27.7.19 and the trial may take some time for its disposal and therefore they be released on bail.

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

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 application filed under Section 439 of the Code of Criminal Procedure is 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