

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6264 of 2019**

1. Shyam Sharma S/o Shri Ashok Sharma, Aged About 22 Years, R/o Near Shani Mandir, Ramsagarpara, Police Station - Azad Chouck, District Raipur, Chhattisgarh.
2. Arvind Sahu S/o Shri Santosh Sahu Aged About 19 Years R/o Badhai Para, Near Sindhi School, Ramsagarpara, Police Station - Moudahapara, District Raipur, Chhattisgarh.
3. Kuleshwar Sahu @ Sonu S/o Late Shri Gowardhan Sahu, Aged About 19 Years, R/o Near Shani Mandir Ramsagarpara, Police Station - Azad Chouck District Raipur Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station - Khamtarai, District Raipur Chhattisgarh.

---- Respondent**And****MCRC No. 6794 of 2019**

- Rohit Dharmani S/o Parmeshwar Dharmani, Aged About 21 Years, R/o Block 07, Sector 04, Shivanand Nagar, District Raipur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through : The Station House Officer, P. S. Khamtarai, District Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri J.K. Gupta, Advocate in MCRC No. 6264/2019 and Shri Suresh Tandon, Advoate in MCRC No.6794/2019.
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/11/2019**

1. Since the aforesaid bail applications arise out of the same

crime number, they are being disposed of together by this common order.

2. The applicants have preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.443/2019, registered at Police Station – Khamtarai, District Raipur (C.G.) for the offence punishable under Sections 457, 380 and 34 IPC in respective petitions.
3. The allegation against the present applicants is that they committed theft in the shop of complainant and stolen 13 mobiles and cash of Rs.80,000/-. Based on this, offence has been registered against the applicants. Applicants in MCRC No.6264/2019 have been taken into custody on 26.08.2019 and the applicant in MCRC No.6794/2019 has been taken into custody on 28.08.2019.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. They further submit that the applicants are ready to furnish adequate security and shall abide by all the directions and conditions to be imposed upon them by the Court. They also submit that the applicants are in custody since 26.08.2019 and 28.08.2019, the case is triable by Magistrate and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
5. On the other hand, learned State counsel opposes the bail application.
6. I have heard learned counsel for the parties and perused the record.

7. Considering the facts and circumstances of the case, and further considering the fact that the applicants in MCRC No.6264/2019 are in custody since 26.08.2019 and the applicant in MCRC No.6794/2019 is in custody since 28.08.2019, the case is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge