

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6635 of 2019**

1. Manoj Kumar Sahani son of Bhuwal Sahani, aged about 29 years
2. Arun Kumar Sahani, son of Kashi Sahani, aged about 26 years.

Both are resident of Rewati, Police Station Rewati, District Baliya (U.P.)

---- Applicants**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Raghunathnagar, Civil and Revenue District Balrampur-Ramanujganj (C.G.)

---- Respondent

For Applicants	:	Ms. Sangeeta Soni, Adv.
For Respondent	:	Shri V.K. Agrawal, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/12/2019**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.48/2019, registered at Police Station - Raghunathnagar, Civil and Revenue District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 457, 380, 201, 411 and 413/34 IPC.
2. The prosecution story, in brief, is that complainant Tarachand Sahu lodged a written report in police station alleging therein that in the night intervening 21-22/05/2019 some unknown person entered in his house after breaking the window and committed theft of silver and golden ornaments worth Rs.11,15,500/-. During investigation, the applicants were

apprehended and in the investigation, recovery of stolen articles has been made. Based on this, offence has been registered. The present applicants have been taken into custody on 03.06.2019 and 29.08.2019.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. She further submits that vide order dated 06.09.2019 passed in MCRC Nos.4610/2019 and 4801/2019, the other co-accused persons have already been granted bail by this Court. She also submits that the applicants are in custody since 03.06.2019 and 29.08.2019 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicants are in custody since 03.06.2019 and 29.08.2019, charge sheet has been filed 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.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with two local sureties for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge