

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6846 of 2019**

1. Surya @ Sumit Son of Bishesar Sahu (wrongly mentioned as Sumit Sahu in order sheet), aged about 19 years, resident of Lavanban Baloda Bazar, District Baloda Bazar, Bhatapara (C.G.)
2. Pintu son of Dukharam Sahu, aged about 19 years, resident of Lavanban Baloda Bazar, District Baloda Bazar, Bhatapara (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station City Kotwali, Baloda Bazar, District Baloda Bazar – Bhatapara (C.G.)

---- Respondent

For Applicants	:	Shri C.R. Sahu, Advocate
For Respondent	:	Shri Vinod Tekam, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****10/12/2019**

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.457/2019, registered at Police Station – City Kotwali, Baloda Bazar, District Baloda Bazar - Bhatapara (C.G.) for the offence punishable under Sections 457, 380, 34 IPC.
2. The allegation against the present applicants is that they committed theft of one computer monitor, mouse, scanner, biometric machine and blank register from the office of Govt. Higher Secondary School, Pulgaon. Based on this, offence has been registered. The present applicants have been taken into custody on 13.09.2019.
3. Learned counsel for the applicants submits that the

applicants are innocent and have been falsely implicated in the case. He further submits as many as five persons are involved in the alleged offence but the present applicants have been arrested only on suspicion. He also submits that the applicants have no criminal antecedent, they are in custody since 13.09.2019, charge sheet has been filed 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 case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicants are in custody since 13.09.2019, 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 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge