

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8610 of 2018

- Sanjay Singh S/o Shivchandar Singh Aged About 28 Years R/o Gopalpur, Police Station - Panduri, District - Mirjapur, Uttar Pradesh., District : Mirzapur, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station - Amanaka, Raipur District - Raipur, Chhattisgarh.

---- Respondent

AND

MCRC No. 418 of 2019

- Pramod Mourya S/o Shri Suresh Aged About 23 Years R/o Village- Chorari, Post- Chorari, Police Station- Mathyahu, District- Jounpur, Uttar Pradesh.

---- Applicant

Versus

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

---- Respondent

For Applicant (In MCRC No. 8610/2018): Mrs. Sunita Sahu, Advocate.

For Applicant (In MCRC No. 418/2019) : Mr. PK Patel, Advocate.

For Respondent/State : Mrs. Smriti Shrivastava, PL.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

28/02/2019

1. Since, both the cases arise out of same crime number, therefore,

they are being disposed of by this common order.

2. The applicants have preferred these first bail applications under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with Crime no. 250/2018, registered at Police Station Amanaka, District Raipur (C.G.) for the offence punishable under Sections 457, 380/34 of the IPC.
3. As per prosecution story, on 13.09.2018 complainant Sushil Kumar Goutam lodged a report in police station alleging that on 10.09.2018 at night, some unknown persons were broken the wall of godown and stolen mobile phones, shoes and clothes from his godown amounting to Rs. 5,00,000/-. On the basis of said report offence has been registered. During course of investigation, on the basis of memorandum statements of Applicant Pramod Maurya total 10 mobile phones and from applicant Sanjay Singh total 45 mobile phones have been seized from their possession. Applicant Pramod Maurya is in custody since 08.10.2018 and applicant Sanjay Singh is in custody since 11.10.2018.
4. Learned counsel appearing on behalf of the applicants submit that the applicants are innocent and have been falsely implicated in the present case. They further submit that the applicants have no criminal antecedents, applicant Pramod Maurya is in custody since 08.10.2018 and applicant Sanjay Singh is in custody since 11.10.2018, charge-sheet has already been filed and trial will take sometime. Therefore, they may be released on bail.
5. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
6. I have heard learned Counsel appearing for the parties.
7. Considering the facts and circumstances of the case and

evidence collected by the prosecution, further considering the fact that the applicants have no criminal antecedents, they are in custody since 08.10.2018 & 11.10.2018, charge-sheet has already filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.

8. Accordingly, the bail applications are allowed.
9. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one local solvent surety for the like sum to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge