

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6648 of 2019**

- Prakash Nut S/o Heeralal, Aged About 30 Years, R/o Village Shivpur, Thana And Tahsil Pathalgaon District Jashpur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through : Police Thana Tamnaar District Raigarh, Chhattisgarh

---- Respondent**And****MCRC No. 6879 of 2019**

1. Arwind Nat S/o Protap Nat, Aged About 30 Years, R/o Village Shivpur, Police Station Patthalgaon, District- Jashpur, Chhattisgarh.
2. Satish Nat S/o Rajendra Nat, Aged About 32 Years, R/o Village Shivpur, Police Station Patthalgaon, District- Jashpur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Tamnar, District- Raigarh, Chhattisgarh.

---- Respondent**And****MCRC No. 7163 of 2019**

- Sonu Nut S/o. Shivprasad, Aged About 28 Years, R/o. Village- Jhakkadpur, Thana And Tahsil Pathalgaon, District Jashpur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through- Police Thana- Tamnaar District- Raigarh, Chhattisgarh

---- Respondent

For Applicants	:	Shri Sanjay Agrawal, Advocate in MCRC No. 6648/2019 & 7163/2019 and Shri G.I. Sharan, Advocate in MCRC No.6879/2019.
For Respondent	:	Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

03/12/2019

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.170/2019, registered at Police Station – Tamnaar, District Raigarh (C.G.) for the offence punishable under Section 379/34 IPC.
3. The prosecution story, in brief, is that complainant Vikram Prasad Sharma made a written report in police station alleging therein that after withdrawing Rs.1,13,000/- from State Bank of India, Tamnar, went to office of Block Education Officer where he parked his vehicle. When he came back from the office of BEO, he found that the dicky of his vehicle was broke open and the amount was stolen. During investigation, the applicants were arrested, their memorandum statements were recorded in which they confessed to have committed the offence. Based on this, offence has been registered against the applicants. Applicants in have been taken into custody on 14.09.2019.
4. Learned counsel for the applicants submit 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 14.09.2019, 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 are in custody since 214.09.2019, 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