

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7340 of 2019**

1. Vijay Kumar Sahu S/o Late Shri Lakhan Lal Sahu Aged About 53 Years, Caste Sahu, R/o Village Chhuri Rawanbhatha, Police Station Katghora, Civil And Revenue District Korba, Chhattisgarh.
2. Pushpendra Sahu S/o Shri Vijay Kumar Sahu Aged About 25 Years, Caste Sahu, R/o Village Chhuri Rawanbhatha, Police Station Katghora, Civil And Revenue District Korba, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Katghora, District Korba, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Sunil Sahu, Adv.
For Respondent/State	:	Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.11.2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 294/2019 registered at Police Station Katghora, District-Korba (C.G.) for the offence punishable under Sections 395 and 412/34 of the IPC.
2. The prosecution story, in brief is that, on 19.10.2019 complainant Ankit Mavi lodged a report with the averment that he is working as Supervisor in Security Company S.S. at Vandana Power Plant Chhuri and on 18.10.2019 at about 7 pm. to 19.10.2019 at 7 am. Vijay Sahu and 8-10 persons entered in power plant armed with weapons and taken the Battery, Roller, Aluminum Plate, Window and Door loading the same in Pickup Vehicle CG-12-S-3703 and taken the said articles in the *Kabadi* shop of Vijay Sahu. Based on this offence has been registered against the present applicants.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the shop of the Vijay Sahu is a registered shop of *Kabad* and they purchased scraps from various companies. The applicants are in jail since 20.10.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering that the shop of the Vijay Sahu is a registered shop of *Kabad* and they purchased scraps from various companies. The present applicants are in jail since 20.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge