

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9480 of 2018

1. Varindar Singh S/o Shri Balvindar Singh Aged About 25 Years R/o Q. No. 495/5/a, Balko Nagar, Thana - Balko Nagar, Korba, District/tahsil - Korba Chhattisgarh., District : Korba, Chhattisgarh
2. Simarjeet Singh S/o Nirmal Singh Aged About 28 Years R/o Q. No.495/5/A, Balko Nagar, Thana - Balko Nagar, Korba, District/tahsil - Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Applicants

Versus

- The State Of Chhattisgarh Through District Magistrate, Out Post - Rampur, Police Station - Kotwali, District - Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

For Applicants	: Shri Samir Singh, Advocate.
For Non-applicant	: Shri S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

10.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 582/2018 registered at Out Post - Rampur, Police Station - Kotwali, District - Korba (C.G.) for the offence punishable under Section 392/34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 11.08.2018 at about 08:30 pm complainant Santosh Kumar was going towards his house. On the way some unknown persons robbed one Oppo mobile from him. The IMEI No. of the said mobile was 867614031777550. On the memorandum of applicant No. 1 Varindar Singh one mobile was seized from applicant No.2 Simarjeet Singh. The IMEI No. of said mobile was the same. Complainant had also identified applicant No.2 Simarjeet Singh in Test Identification Parade.
4. Learned counsel for the applicants submits that the applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, and submits that one criminal case is registered against both the applicants.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if each applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE