

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9659 of 2018

- Rudra Pandey S/o Ganesh Pandey Aged About 19 Years R/o 256 Colony, Ward No. 5, Dallirajhara, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajhara, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Non-applicant

And

MCRC No. 9845 of 2018

- Lokendra Patel S/o Late Ram Singh Aged About 21 Years R/o Ward No. 08, Budhwari Bazar, Narayanpur, Police Station And District- Narayanpur, Chhattisgarh., District : Narayanpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District- Magistrate, Balod, District- Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Non-applicant

For Applicants	: Shri B.P. Singh and Shri Jitendra Gupta, Advocates
For Non-applicant	: Shri S. Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.01.2019

1. Since both the petitions arise from same crime No., these bail petitions are being disposed off simultaneously.
2. These are first bail applications 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.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 132/2018 registered at Police Station – Magistrate, Balod, District- Balod (C.G.) for the offence punishable under Section 392 of the IPC.
4. Case of the prosecution, in brief is that on 13.08.2018 at about 09:15 to 09:30 am at Shivmandir, Dallirajhara one unknown person snatched one golden chain from the complainant Smt. Pushpa Devi Ojha one another reached there by motorcycle. That person sat on that motorcycle and both the persons fled away from the spot.

5. In test identification parade said complainant identified both the applicants. On the memorandum of the applicant-Lokendra Patel one golden chain was seized from Harshit Jewellers. Seized golden chain was identified by the complainant.
6. Learned counsel for the applicants submits that applicants have no criminal background, they are innocent and have been falsely implicated in the present case, therefore, they shall be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent against the applicants.
8. 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 not involve in any crime in future, 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.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE