

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7028 of 2019**

- Rajesh @ Raju Korram S/o Roop Singh Korram Aged About 25 Years, R/o Village Pali, Saroriya Muda, Chowki, Korbi, Police Station Pasan, District Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, Police Chowki Korbi, Police Station Pasan, District Korba, Chhattisgarh.

---- Respondent

MCRC No. 7803 of 2019

1. Samaylal S/o Sukhnath Gond Aged About 30 Years, Caste- Gond, R/o Baghdhoda, Police Chowki Korbi, District Korba, Chhattisgarh.
2. Balsai Gond S/o Mangalsai Gond Aged About 50 Years, Caste- Gond, R/o Piparkunda, Pali, Police Chowki Korbi, District Korba, Chhattisgarh.

---- Applicants

Versus

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

---- Respondent

For Applicants	:	Mr. Nitesh Shrivastava, Adv. in MCRC No. 7028/2019.
	:	Mr. Aditya Khare, Adv. in MCRC No. 7803/2019.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****19/12/2019**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by the common order.
2. 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. 105/2019 registered at Police Station Pasan, District-Korba (C.G.) against

applicants for the offence punishable under Section 379/34 of the IPC.

3. The prosecution story, in brief is that, the complainant lodged a report that 3 pieces of electricity transformer were broken and other parts and copper coil have been taken away by the applicants. Based on this offence has been registered against the present applicants.
4. 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 there is no previous criminal antecedent of the applicants. The applicant Rajesh @ Raju Korram is in jail since 05.10.2019 and applicants Samaylal and Balsai Gond are in jail since 29.09.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the offence is triable by Judicial Magistrate First Class. There is no previous criminal antecedent of the applicants. The applicant Rajesh @ Raju Korram is in jail since 05.10.2019 and applicants Samaylal and Balsai Gond are in jail since 29.09.2019, 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 applications are allowed.
8. 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**