

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10083 of 2018**

Shailendra Rajak @ Montu S/o Sukhchand Rajak Aged About 22 Years
R/o Village Nagaoi, P.S. Sarkanda, Tahsil Bilaspur, District Bilaspur
Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Koni, District Bilaspur Chhattisgarh., District : Bilaspur,
Chhattisgarh

---- Respondent

ALONG WITH**MCRC No. 392 of 2019**

Banwari @ Krishnachand Yadav S/o Latel Ram Aged About 20 Years
R/o Gram Baima (Nagoi), P. S. Sarkanda, District Bilaspur
Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Koni, District Bilaspur Chhattisgarh, District : Bilaspur,
Chhattisgarh

---- Respondent

For the Applicant	:	Shri N.K. Chatterji, Advocate (in MCRC No.10083/2018)
	:	Shri Rajkumar Gupta, Advocate (in MCRC No. 392/2019)
For the State	:	Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**23/01/2019**

- Both are first bail application under Section 439 of the CrPC arise out of same Crime No. 372/2018 registered at Police Station Koni, District Bilaspur for the offence punishable under Sections 454, 380/34 of IPC, therefore, they are being heard analogously and decided by this common order.
- Perused the case diary provided by the learned counsel for the State.
- Case of the prosecution, in brief is that complainant Sukhwant Singh is the resident of village Birkona. On 01/12/2018 between 1-2 p.m. to 6.30 p.m. from his house one bag containing Rs. 4,84,000/- and one mobile were stolen by some unknown persons. On the memorandum of applicant Banwari @ Krishnachand Yadav one mobile and Rs.3 Lakhs have been seized from him. On the memorandum of applicant Shailendra

Rajak @ Montu Rs.5,000/- have been seized from him.

4. Learned counsel for the applicant submits that they are innocent and falsely implicated in the present case, therefore, they shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against 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 the applicants furnish one solvent surety for a sum of Rs. 25,000/- each along with a personal bond of Rs. 25,000/- each to the satisfaction of the concerned Court with the condition that they shall appear before the trial Court at 11.00 am as and when directed till trial and they would cooperate during the trial, they shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde