

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 248 of 2019**

1. Janak Dheever, S/o Sukhchand Dheever, aged about 31 years, R/o Village Boriyakala, Behind Shankracharya Ashram, P.S.- Mujgahan, District- Raipur, (C.G.).
2. Purshottam Dheever, S/o Late Ramesh Dheever, aged about 28 years, R/o Brahman Para, Village Boriyakala, Behind Shankracharya Ashram, P.S.- Mujgahan, District- Raipur, (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh Through – Police Station- Kondagaon, District- Kondagaon, (C.G.).

---- Respondent

For Applicants	: Shri Anchal Kr. Matre on behalf of Shri Devershi Thakur, Advocates.
For Respondent/State	: Shri D.P. Singh, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**05/02/2019**

1. The Applicant have preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 144/2018, registered at Police Station- Kondagaon, District - Kondagaon, (C.G.) for the offence punishable under Sections 457, 380, 411 of the Indian Penal Code.
2. As per the prosecution story, on 09.06.2018, Complainant Vijay Lal, proprietor of the Sundar Jewellers, lodged a report wherein it has been alleged that in the intervening night of 08-09/06/2018, some unknown persons have stolen ornaments total amounting Rs. 31,41,000/- from his jewellery shop. On the basis of the said, offence has been registered against the unknown persons. During course of investigation, on the basis of memorandum statement of the main accused Kanhaiya Sahu total 22.263 gm of gold jewellery has been

seized from Manapuram Finance, Raipur. Allegedly, after depositing the said articles, the main accused Kanhaiya obtained gold loan in the name of the present Applicants. The Applicants have been arrested on 25.10.2018.

3. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. He further submits that Applicants have no criminal antecedents, charge-sheet has been filed, they are in custody since 25.10.2018 and trial is likely to take some time. Therefore, they may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that Applicants have no criminal antecedents, they are in custody since 25.10.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge