

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 177 of 2020**

- Khuman Thakur S/o Late Thakur Ram Thakur Aged About 21 Years R/o Village Sikola, Police Station And Tahsil Patan, District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Durg, District Durg Chhattisgarh.

---- Respondent

MCRC No. 353 of 2020

- Hitesh Dhurve S/o Keshavram Dhurve Aged About 29 Years R/o Quarter No. 6/ B Road No. 38, Sector-4, Bhilai, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. B.P. Singh, Advocate.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.03.2020**

- The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 1136/2019 registered at Police Station - City Kotwali Durg, District Durg (C.G.) for the offence punishable under Section 406/34 of the IPC.
- The prosecution story in nutshell is that, accused Hitesh Kumar Dhurve took the Sold Hundai Vehicle of complainant for use of government department and the agreement to this

effect was executed between them and thereafter he misused the vehicle of complainant. Based on that offence has been registered against Hitesh Kumar Dhurve and on the basis of memorandum statement of Hitesh Kumar Dhurve, applicant Khuman Thakur has been implicated in the crime in question. Thereafter, applicants have been arrested.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the charge-sheet has been filed and the applicants Khuman Thakur and Hitesh Durve are in jail since 24.11.2019 and 26.11.2019 respectively, they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the present applicants may also be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and as the offence is triable by Judicial Magistrate First Class and 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 application is allowed.
- 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 said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge