

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 449 of 2020**

1. Admon Kerketta S/o Riju Kerketta Aged About 20 Years Caste- Uraon, R/o Village Dipatoli, Kunkuri, Police Station Kunkuri, District Jashpur, Chhattisgarh.
2. Ajay Ram S/o Nansai Aged About 20 Years R/o Village Dipatoli, Kunkuri, District Jashpur, Chhattisgarh.
3. Sanjeet Ram Chouhan S/o Sagar Sai Aged About 20 Years R/o Dugdugiya, Kunkuri, Police Station Kunkuri, District Jashpur, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kunkuri, District Jashpur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. J.K. Saxena, Advocate.
For Respondent	:	Mr. Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03.03.2020**

- 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. 128/2019 registered at Police Station – Kunkuri, District Jashpur (C.G.) for the offence punishable under Section 379/34 of the IPC.
- The prosecution story in nutshell is that, complainant Punit Ekka lodged a report at concerned Police Station regarding the theft of his motorcycle bearing registration No. C.G. 1 DA 5064. On the basis of above report, after investigation, offence has been registered against the applicants and they 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 applicants have been arrested only on the basis of suspicion. He also added that the applicants are in jail since 06.12.2019 and 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 strongly 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, as 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