

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 316 of 2020**

1. Chandan Kumar Sah & Anr. S/o Sadanand Sah Aged About 31 Years R/o Giriana, Police Station Falkar, District Katihar, Bihar.
2. Santosh Kumar Sah S/o Nandlal Sah Aged About 24 Years R/o Sameli Police Station Karsela, District Katihar, Bihar.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Chowki Wadrafnagar, Police Station Basantpur, District Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. D. N. Prajapati, Adv.
For Respondent/State	:	Mr. Anil Tripathi, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27/02/2020**

1. 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. 164/2019 registered at Police Chowki-Wadrafnagar, Police Station-Basantpur, District-Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 420, 419, 34 of the IPC.
2. The prosecution story, in brief is that, complainant Sumant Kumar Gupta is the proprietor of Bhagwati Petrol Pump and on 15.11.2019 at about 3:10 hours, when complainant was at home at that time two persons came his house in Pulsar Motorcycle and impersonated themselves as agent of Soap Company and told regarding cleaning of utensil, gold & Silver ornaments, on which, the wife of complainant namely Chandani Gupta has given gold chain, gold ring and gold ear rings for cleaning and after sometime, the said persons fled away by taking the ornaments. Based on this, offence has

been registered against the present applicants.

3. 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 the applicants are in jail since 15.11.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. 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 applicants are in jail since 15.11.2019 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.
7. 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