

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 438 of 2020**

1. Rajkumar @ Akadi S/o Late Makhanlal Aged About 30 Years Resident Of Nagar Panchayat Sipat, Police Station Sipat, Tahsil Masturi, District Bilaspur, Chhattisgarh.
2. Prahlad Khare S/o Malikram Khare Aged About 30 Years Resident Of Nagar Panchayat Sipat, Police Station Sipat, Tahsil Masturi, District Bilaspur, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through - Station House Officer, Police Station Sipat, District - Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Yogeshwar Sharma, Adv.
For Respondent/State	:	Ms. Akshara Amit, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/03/2020**

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. 345/2019 registered at Police Station-Sipat Bilaspur, District-Bilaspur (C.G.) for the offence punishable under Sections 379, 34 of the IPC.
2. The prosecution story, in brief is that, on 19.09.2019 complainant Ramesh Ahuja lodged a report that on 15.09.2019 the applicants have stolen Aluminum Silver total valuation Rs. 5000/- from the Mangal Bhawan of the complainant. After investigation, on the basis of memorandum statement, police has seized the said stolen articles from the applicant Rajkumar. 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 11.12.2019, 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 11.12.2019 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**