

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 674 of 2020**

1. Faguram Dahariya And Ors. S/o Nujram Dahariya Aged About 25 Years R/o Village - Charbhatha, Police Station - Kawardha, District - Kabirdham Chhattisgarh.
2. Raju Sahu S/o Geetaram Sahu Aged About 37 Years R/o Village - Birkona (Wrongly Mentioned As Manikchauri), Police Station - Pipariya, District - Kabirdham Chhattisgarh.
3. Santosh Sahu S/o Rohit Sahu Aged About 19 Years (Wrongly Mentioned As 29 Years In The Order Sheet), R/o Village - Manikchauri, Police Station - Pipariya, District - Kabirdham Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station - Pipariya, District - Kabirdham Chhattisgarh.

---- Respondent

MCRC No. 937 of 2020

- Toran S/o Ramgulam Aged About 30 Years R/o Village Dharampura, Police Station Pipariya, District Kabirdham Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pipariya, District Kabirdham Chhattisgarh.

---- Respondent

For Applicants.	:	Mr. Dharmesh Shrivastava, Advocate.
For Respondent/State	:	Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11.02.2020**

1. 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. 194/2019 registered at Police Station - Pipariya,

District Kabirdham (C.G.) for the offence punishable under Section 379 of IPC and Section 136 of Electricity Act.

2. As per the prosecution case, the allegation against the present applicants is that they have stolen the electricity wire (about 320 meters worth of Rs. 20,000/-) from the tube-well of complainant. Thereafter, offence has been registered against the applicants and they have been arrested.
3. Learned counsel for the applicant submits that the applicants have been falsely implicated in the crime in question. He further submits that as the applicants have been arrested only on the basis of suspicion. The applicants are in custody since 21.10.2019 and the trial is likely to take some time for its final disposal, they 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.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as 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 executing a personal bond for a sum of Rs. 50,000/- each, with one local surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

**Sd/-
(Rajani Dubey)
Judge**