

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1064 of 2020**

1. Mukesh Lahre S/o Ratanram Lahre, Aged About 21 Years R/o Godhikala, Ambedkar Nagar Mohalla, Police Station Patthalgaon, District - Jashpur Chhattisgarh.
2. Anil Banjara S/o Jagannath Banjara, Aged About 21 Years R/o Village - Kalmi Tikra, Fuleta Basti, Police Station - Pattalgaon, District - Jashpur Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through - Police Station Urga, District Korba Chhattisgarh.

---- Respondent

For Applicants : Mr. Mirza Kaiser Baeg, Advocate.
 For Respondent/State : Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29.05.2020**

- The accused/applicants have moved their first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 332/2019 registered at Police Station - Urga, District Korba (C.G.) for the offence punishable under Sections 457, 380, 411, 120(B) of IPC and Sections 3, 7 of Essential Commodities Act.
- According to the prosecution story, the present applicant along with other co-accused persons, entered into the go-down of village Sarpanch and committed theft of 40 bags rice worth of Rs. 40,000/-. Based on that, after completion of investigation, offence has been registered against the applicant and he has been arrested.
- Learned counsel for the applicants submits that the applicants are working as labour in the same go-down, they

have been falsely implicated in the crime in question. He further submits that as the applicants are in custody since 08.01.2020 and the trial is likely to take some time for its final disposal, they may be released on 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, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
- Accordingly, the bail application is allowed.
- 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.
- It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **in Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Sd/-
(Rajani Dubey)
Judge