

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1281 of 2020**

1. Jacky Jayshwal S/o Rajendra Jayshwal Aged About 26 Years
R/o Sai Nagar, Ward No. 18, Camp- 01, Bhilai, Police Station
Chhawani, District Durg, Chhattisgarh, District : Durg,
Chhattisgarh
2. Bharat Gupta @ Rahul S/o Shri Harendra Gupta Aged About
22 Years R/o Sector - 07, Shardapara, Bhilai Power House,
Baikunth Dham Durg, Chhattisgarh, District : Durg,
Chhattisgarh

---- Petitioners**Versus**

1. State Of Chhattisgarh Through The Police Station D.D. Nagar,
Civil And Revenue District Raipur, Chhattisgarh, District :
Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Punit Ruparel, Advocate
For Respondent	:	Shri K.K. Singh, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****02/06/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.47/2019, registered at Police Station - Purani Basti, District Raipur (C.G.) for the offence punishable under Sections 356, 379, 392 read with section 34 IPC.
2. The prosecution story, in brief, is that the applicants snatched the golden chain of the complainant and thereby committed loot. Based on this, offence has been registered. The present applicants have been taken into custody on 24.02.2019.

3. Learned counsel for the applicants submits that the applicants are innocent and has been falsely implicated in the case. He further submits that the applicants have not been identified and they arrested after three months. He also submits that the present applicants are in custody since 24.02.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application. He submits that the applicants have criminal antecedent.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicants are in custody since 24.02.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed, till the final disposal of the trial.
9. 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde