

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1167 of 2020**

1. Bharat Gupta @ Rahul S/o Shri Harendra Gupta Aged About 22 Years R/o Sector - 07, Shardapara, Bhilai Power House, Baikunth Dham Durg, C.G.
2. 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, C.G.

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Azad Chowk, Civil And Revenue District Raipur, Chhattisgarh

---- Respondent

For Applicants	:-	Mr. Kalpesh Ruparel, Advocate
For Respondent-State	:-	Ms. Fouzia Mirza, Addl. A.G.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board

23/03/2020

1. Heard.
2. The applicants have preferred this application filed under Section 439 of the Cr.P.C. for grant of regular bail as they were arrested in connection with crime No.60/2019 registered in Police Station Azad Chowk, District Raipur, C.G. for the offences punishable under Sections 356, 379, 392 read with Section 34 of the IPC.

3. As per the prosecution case, applicants have looted one golden chain from complainant – Rajesh Agrawal while he was traveling through Gayatri Temple Road at Samta Colony, Raipur.
4. Learned counsel for the State would oppose the prayer on submission that the applicants are habitual offenders.
5. Countering the submission, learned counsel for the applicants would submit that the applicants have been acquitted in two previous cases.
6. Considering the entire fact situation of the case particularly for the reason that the applicants are in jail since 07.05.2019 i.e., for more than 10 months and offences are triable by Judicial Magistrate First Class, this Court is inclined to release them on bail. Accordingly, the application is allowed and the applicants are directed to be released on bail on their executing a personal bond for a sum of ₹ 1 Lac each with **two local sureties** for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

SD/-

(Prashant Kumar Mishra)
Judge