

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2378 of 2020

1. Sachin Netam S/o Shri Karan Netam Aged About 30 Years R/o Atal Awas, House No. 12, Nawagaon, Police Station Mandir Hasoud, District Raipur Chhattisgarh Presently Residing At Nearby Pond Dewardera, Lalpur, Tikrapara Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Lakhan Netam S/o Shri Karan Netam Aged About 27 Years R/o Chirmiri, District Koriya Chhattisgarh Presently Residing At Nearby Pond Dewardera, Lalpur, Tikrapara Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Mana Camp Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri C.P. Lahrey, Advocate
For State	:	Shri Ravish Verma, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/08/2020

Heard.

1. The applicants have been arrested in connection with Crime No. 12/2020 registered in Police Station -Mana Camp, Raipur, District- Raipur (CG) for alleged commission of offence under Sections 457, 380 read with Section 34 IPC.
2. Case of the prosecution, in brief, is that from the liquor shop, huge amount of cash of more than Rs.27 lakhs was stolen and later on, upon enquiry and investigation made, cash and jewellery was recovered from the possession of applicant- Sachin and cash and motorcycle was seized from the possession of applicant – Lakhan.

3. Learned counsel for the applicants would submit that the applicants are involved only on the basis of suspicion. There is no identification of any recovery made from the applicants to say that the cash, jewellery, motorcycle etc. belong to somebody else and not the present applicants. It is further submitted that investigation is complete and charge sheet has been filed and the applicants are neither likely to abscond nor in a position to tamper with the prosecution witnesses, therefore, at this stage, they may be granted bail.
4. On the other hand, learned counsel for the State opposed the bail application by submitting that looking to the huge amount of cash stolen and recovery of a part of it from the present applicants, a prima facie case is made out.
5. Taking into consideration the submissions made by learned counsel for the respective parties, taking into consideration that investigation is complete, charge sheet has been filed and there is nothing to show that applicants are either likely to abscond or tamper with prosecution witnesses, I am inclined to allow the application.
6. The application is accordingly allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:-
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Manindra Mohan Shrivastava)
Judge