

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2915 of 2020**

- Surendra Singh @ Rocky S/o Late Rajkumar Singh Aged About 24 Years R/o Arjun Nagar, Camp-1, Bhilai, Tahsil & District Durg, Chhattisgarh. ---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Kotwali, District Durg, Chhattisgarh. ---- Respondent

and**MCRC No. 2921 of 2020**

- Sujeet Kumar Yadav S/o Surendra Nath Yadav, Aged About 19 Years R/o Arjun Nagar, Camp-1, Chhawni, District Durg Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Kotwali (Durg), District Durg, Chhattisgarh ---- Respondent

For Applicants : Mr. Goutam Khetrapal, Advocate.
 For Respondent/State : Mr. D.K. Tiwari, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.06.2020**

- The accused/applicants have moved his 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. 51/2020 registered at Police Station - Kotwali (Durg), District- Durg (C.G.) for the offence punishable under Sections 457 and 380 of IPC.
- According to the prosecution story, on 17.01.2020, the complainant Mahaveer Jain lodged a report at Police Station- Kotwali, Durg regarding theft of mobile phones from his shop situated at Purani Ganj Mandi, Ganjpara, Durg. On the basis of said report, the offence under Section 457 and 380 of IPC were registered against unknown person and during the course of investigation, the applicant and co-accused persons have been arrested.
- Learned counsel for the applicants submits that the applicants are innocent and falsely implicated in the instant

case and he further submits that applicants are not previously convicted person. He next contended that both the applicants are in jail since 18.01.2020, therefore they may be granted 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 his 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