

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3179 of 2020**

1. Manish @ Langru Prajapati, aged about 19 years, S/o Nehru Prajapati,
2. Satish Sonnwani, aged about 25 years S/o Chandra Bali Sonwani,
3. Vivek Gupta, aged about 27 years S/o Gajanand Prasad Gupta,
4. Sunil Bargah, aged about 30 years S/o Phoolsai.

All are R/o Kusmi, P.S. Kusmi, District Balrampur Ramanujganj, Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Kusmi, District Balrampur Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Jitendra Shrivastava, Advocate.
For Respondent/State	:	Mr. K.K. Singh, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2020**

1. Registry has pointed out the default.
2. Learned counsel for the applicants submits that default has been removed.
3. Heard.
4. Admit.
5. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 47/2020 registered at Police Station : Kusmi, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 411, 379, 201 & 34 of the

IPC.

6. The prosecution story in brief is that Santosh and Langtu have stolen the motorcycle bearing Registration No. C.G.-15 DP-5857, which was belonging to the complainant. The allegation against the present applicants is that they have sold the said bike to the co-accused person. Based on that offence has been registered against the applicants and they have been arrested.
7. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that co-accused namely Mohd. Kalam Khan has already been granted bail by this Hon'ble Court on 15.05.2020 passed in MCRC No. 2660 of 2020. He next added that the applicants are in jail since 29.04.2020 and they are ready to furnish adequate surety and shall abide by all the conditions and directions, which may be imposed by this Hon'ble Court, therefore, they may be released on bail.
8. On the other hand, State counsel strongly opposes the bail application.
9. I have heard learned counsel for the parties and perused the record.
10. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering that co-accused has already been granted bail by this Court, as the applicants are in jail since 29.04.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
11. Accused/applicants is directed to be released on bail on

their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

12. 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