

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3484 of 2020**

1. Sunil Pardhi, S/o Panchu Pardhi, Aged about 20 years,
 2. Satish Pardhi, S/o Panchu Pardhi, Aged about 19 years,
- Both applicants are R/o village Birjhapur, Tahsil & PS Dhamdha, District Durg (C.G.)

---- Applicants

Versus

- State of Chhattisgarh, Through – SHO, PS- Gandai, District Rajnandgaon (C.G.)

---- Respondent

For Applicants : Mr. Suresh Kumar Verma, Advocate.
 For Respondent/State : Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****30.06.2020**

- The accused/applicants have moved their 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. 182/2019 registered at Police Station– Gandai, District Rajnandgoan (C.G.) for the offence punishable under Sections 457, 380, 34 & 411 of Indian Penal Code.
- According to the prosecution story, the complainant Diwakar Soni has given a written report on 27.07.2019 in the mid night have theft in jewelry shop Rs. 1,61,300/-, in cloth shop Rs. 80,000/- and mobile shop Rs. 43,500/- total Rs. 2,84,800/- was theft and allegation against the present applicants.
- Learned counsel for the applicants submits that applicants are innocent person who have been falsely implicated in the aforesaid case, he further submits that nothing has been seized from the present applicants. He next contended that applicants are in jail since 01.11.2019, 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 both 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 their 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

Vasant