

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4562 of 2020**

1. Vikram Kurre, S/o Govind Kurre, Aged about 18 years, R/o Village Limtari, PS Bilaigarh, District Baloda Bazar- Bhatapara (C.G.)
2. Suresh Banjare, S/o Harishankar Banjare, Aged about 18 years, R/o village- Sighitar, PS Bilaigarh, District Baloda Bazar- Bhatapara (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Station Bilaigarh, District Baloda Bazar- Bhatapara (C.G.)

---- Respondent

For Applicants	:	Mr. Anil Gulati, Advocate.
For Respondent/State	:	Mr. Sudeep Agrawal, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/08/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 01/2020 registered at Police Station- Bilaigarh, District Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 379/34 of I.P.C. and under Section 41(1+4) of Cr.P.C.
4. As per the prosecution case, the police party were patrolling at that time information was received through informer that two persons committed the theft of tractor and on the basis of such information the police started the search of the vehicle and subsequently the applicants have been arrested for the commission of the alleged offence.
5. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants did not acted in a manner as it is alleged by the prosecution.

He next submits that the both applicants are in jail since 09.06.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

6. On the other hand, counsel for the State opposes the bail application and submits that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant them bail.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the offences are triable by Judicial Magistrate First Class and they are in jail since 09.06.2020 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.
9. Accused/applicants are 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 trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vasant