

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 4347 of 2020**

1. Krishna S/o Budhram aged about 23 years, R/o Joratarai Milan Chowk, P.S. Bhilai Bhatthi, Tahsil & District- Durg, Chhattisgarh.
2. Rakesh S/o Nandkishor aged about 25 years, R/o Joratarai Milan Chowk, P.S. Bhilai Bhatthi, Tahsil & District- Durg, Chhattisgarh.

**---- Applicants****Versus**

- State Of Chhattisgarh, Through - The District Magistrate, Durg, Chhattisgarh.

**---- Respondent**


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| For Applicants       | : | Mr. Avinash Chand Sahu, Adv.  |
| For Respondent/State | : | Mr. H. S. Ahluvalia, Dy. A.G. |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****18/08/2020**

1. 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. 02/2020 registered at Police Station-Bhilai Bhatthi, District- Durg (C.G.) for the offence punishable under Sections 380, 457, 34 of the IPC and 25, 26 of Arms Act.
2. The prosecution story in brief is that, complainant Abhishek Singh lodged a report that some unknown persons have stolen the 7 numbers of computer CPU, 05 numbers of Monitor, 05 numbers of computer Key-board and other computer related items from the BSP area. During course of investigation police arrested the present applicants and other co-accused and the fact came to know that the present applicants and other co-accused person have theft the said articles. On the basis of memorandum of the accused persons some articles have been seized from the applicants and other

co-accused person. Based on this, offence has been registered against the present applicants and other co-accused person.

3. 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 other co-accused person has already been granted bail in MCRC No. 3566/2020, therefore, the present applicants may also be grant benefit of bail. He next submits that the all applicants are in jail since 01.01.2020, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
4. 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.
5. I have heard learned counsel for the parties and perused the case diary.
6. 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 other co-accused person has already been granted bail and they are in jail since 01.01.2020 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.
7. 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**