

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4677 of 2020**

1. Rajesha Yadav, son of late Jaggu Yadav, aged about 32 years, resident of village Chhindwada, P.S. Darbha, presently resident of near Sun City, Atal Awas, P.S. Kotwali, Jagdalpur, District Bastar (C.G.)
2. Durgesh Goutam son of Shri Sahebnath Goutam, aged about 27 years, resident of Ambedkar, Ward No.29, P.S. Bodhghat, Jagdalpur, District Bastar (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Kondagaon, District Kondagaon (C.G.)

---- Respondent

For Applicant	:	Shri Ashutosh Shukla, Advocate
For Respondent	:	Ms. Sunita Jain, G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/09/2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.62/2019, registered at Police Station – Kondagaon, District Kondagaon (C.G.) for the offence punishable under Sections 457, 380, 411, 34 IPC.
2. The prosecution story, in brief, is that in the night intervening 10th – 11th of February, 2019, some unknown persons entered the Gurudwara and Darbar Hall after breaking open the lock and stolen coins made of gold and silver & cash kept in donation box. During investigation, the applicants were arrested, their memorandum statements were recorded, based on which, stolen articles were seized from their possession. Based on this, offence has been registered. The

present applicants have been taken into custody on 27.05.2019.

3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants have already been granted bail in other cases. He also submits that the applicants are in custody since 27.05.2019, charge sheet has been filed and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.
4. On the other hand, learned counsel for the State opposed the bail application. Learned State counsel submits that as many as three cases have already been registered against the applicants and on their memorandum statement, some ornament has been seized from them.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicants are in custody since 27.05.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicants shall be released on bail on their executing a personal bond for a sum of Rs.50,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge