

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5406 of 2020**

1. Mo. Anish son of Jameel Khan, aged about 30 years, resident of Village 20 Vi Gosiya Nagar, Khajrana, Thana- Khajrana, District Indore (MP)
2. javed @ Golu son of Bhure Khan aged about 20 years, resident of Village Tajeev Nagar, Khajrana, Thana- Khajrana, District Indore (MP)
3. Ismail Khan son of Sikandar Khan aged about 29 years, resident of Village Mali Khedi, Thana Barechha District Shajapur (MP)

---- Applicants

Versus

- State of Chhattisgarh through Station House Officer, Police Station, Saraipali, District Mahasamund (C.G.)

---- Respondent

For Applicants	:	Mr. Vikas Pradhan, Advocate.
For Respondent	:	Mr. Gagan Tiwari, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29.09.2020**

- The applicants have filed this **First Bail Application** under Section 439 of the Code of Criminal Procedure for grant of regular bail in connection with Crime No. 250/2020 registered at Police Station : Saraipali, District Mahasamund (C.G.) for the offence punishable under Sections 279, 379, 399 & 431 of the I.P.C., Section 3 of Public Property Damage Act & Section 25 of Arms

Act.

- The prosecution story in brief is that co-accused Sonu Jangale and Kurudhwaj Tandi were arrested for breaking barricading while vehicle checking was going on. Thereafter, during investigation it was found that the present applicants as well as other co-accused person used to steal diesel from vehicles and sell it illegally. Based on that offence has been registered against the applicants.
- Learned counsel appearing on behalf of the applicants would submit that the applicants are innocent and have been falsely implicated in the case. He further submits that the present applicants have been arrested only on the basis of suspicion the applicants have been arrested. The applicants are in custody since 13.07.2020 and they are ready to furnish adequate surety and shall abide by all the conditions and directions imposed upon them, therefore, they may be released on bail.
- Per contra, learned counsel appearing on behalf of the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Considering the facts and circumstances of the case, nature and gravity of the offence, as the applicants are in jail since 13.07.2020 and the 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 the 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 sum amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)

Judge

Vijay Sahu