

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5371 of 2020**

- Mohd. Shamshad @ Petal S/o Mohd. Alluddin, aged about 28 years, R/o Gevra Ghat, in house of Kalim Siddiqui, outpost, CSEB Korba, District Korba (CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Outpost CSEB, Police of Police Station Kotwali, Korba, District Korba (CG)

And**MCRC No. 5779 of 2020**

- Rajkumar Suryavanshi S/o Mahadev Suryavanshi, aged about 30 years, R/o Tulsinagar, Outpost CSEB, Police Station Kotwali, Korbaas, District Korba(CG)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Outpost CSEB, Police of Police Station Kotwali, Korba, District Korba (CG)

---- Respondent

For Applicants	:	Shri Anil Gulati, Advocate
For Respondent/State	:	Shri Rahul Jha, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23.9.2020**

1. The matter is heard through video conferencing.
2. As both the MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
3. The accused/applicants have moved these bail applications

under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.559/2020, registered at Police Station -Kotwali, District Korba(C.G.) for the offence punishable under Sections 457, 380, 411 r/w 34 of the IPC.

4. It is the case of the prosecution that the complainant has lodged FIR on 23.6.2020 to the Police Station that the applicants along with other co-accused persons committed robbery by breaking open the lock of the pump house and stolen the transformer cable, cable box and other parts, MRU panel of city unit, copper wire, starter and lead wire from the pump house.
5. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He submits that the co-accused persons have been released on bail by this Court in MCRC 5262/2020 and other connected matters. He submits that the applicants are in jail since 30.7.2020 and 8.8.2020 and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.
6. On the other hand, counsel for the State opposes the bail applications.
7. Considering the facts and circumstances of the case, in particular, the nature of allegations against the applicants and the detention period of the applicants and the co-accused persons have been released on bail, I am of the

opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the applications filed under Section 439 Cr.P.C. are allowed.
9. It is directed that the applicant in MCRC No.5371/2020 namely- Mohd. Shamshad @ Petal shall be released on bail on his furnishing a personal bond in sum of Rs.50,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial. And the applicant in MCRC No. 5779/2020, namely- Rajkumar Suryavanshi shall be released on bail on his furnishing a personal bond in sum of Rs.,1,00,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial
10. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge