

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5703 of 2020

1. Rajmal, S/o Sheku Aged About 28 Years R/o Tadki, Village Poha, Police Station Udaygarh, District Alirajpur, Madhya Pradesh
2. Bharat Bhuriya S/o Shekuram Aged About 24 Years R/o Kedar Faliya, Village Chhoti Jamli, Police Station Udaygarh, District Alirajpur, Madhya Pradesh.

----Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Mujgahan, Raipur, District Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri S.P. Sahu, Advocate
For Respondent/State	:	Shri Ravish Verma, G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/10/2020

Heard.

1. The applicants have been arrested in connection with Crime No.428 of 2019 registered at Police Station-Mujgahan, District Raipur (CG) for the alleged commission of offence under Section 457, 380 of IPC.
2. Case of the prosecution is that the applicants have stolen silver ornaments, cash and other valuable items of the valuation of Rs.14,500/-.
3. Learned counsel for the applicants would submit that in this present case, the applicants have been falsely implicated and false seizure has been prepared. He would submit that investigation is complete, charge-sheet has been filed and the applicants are in jail since 18.12.2019, therefore, he may be granted bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that apart from the present incident against the applicants, number of criminal cases including cases of theft are pending and the applicants are habitual offender. He would submit that about 12 cases are

pending against them and in case bail is granted to the applicants, they would misuse the liberty.

5. Taking into consideration the nature of allegation and valuable of stolen articles and that the investigation is complete, charge sheet has been filed and the applicants are in jail since 18.12.2019, the application is allowed.
6. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge