

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6435 of 2020**

- Belsingh Son Of Jhaitu Aged About 28 Years Resident Of Thandla, P.S. Udaygarh, District : Alirajpur, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pandri, Raipur, District : Raigarh, Chhattisgarh

---- Respondent

MCRC No. 6475 of 2020

- Rajmal Son Of Sheku, Aged About 28 Years Resident Of Tadvi, Village Poha, P.S. Udaygarh, District : Alirajpur, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Pandri, District : Raipur, Chhattisgarh

---- Respondent

For Applicant/s	:	Mr. S.P. Sahu, Advocate.
For State	:	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****16/10/2020**

Heard.

1. Both the applications are being decided by this common order as they arise out of the same crime number. The applicants have moved this application for grant of bail as they are arrested in connection with Crime No.239/2019 registered at Police Station- Pandri, District-Raipur, C.G. for the alleged commission of offence under Sections 457, 380 & 34 of IPC.
2. Prosecution case is that the applicants and co-accused committed theft of gold, silver jewellery and cash, total amounting to Rs.86,000/- and from the possession of the applicants, recovery has also been made.
3. Learned counsel for the applicants would submit that the applicants have been

falsely implicated in the case and false seizure has been made. He would submit that investigation is complete, charge sheet has been filed and applicants are in jail since 18.12.2019 and that trial is not likely to be concluded early, therefore, at this stage, the applicants may be granted bail.

4. On the other hand, learned State Counsel opposes and submits that *prima facie* a case has been made out against the present applicants on the basis of recovery of stolen articles. He would submit that applicants and co-accused are involved in about 11 cases of similar nature, which shows that they are habitual offender and they are likely to misuse their liberty and flee away also.
5. Taking into consideration the submissions of learned counsel for the parties, particularly taking into consideration the valuation of alleged stolen articles and further that the applicants are in jail since 18.12.2019, investigation is complete, charge sheet has been filed and trial is not likely to be concluded early, at this stage, I am inclined to grant bail to the applicants.
6. Accordingly, the bail application is allowed. 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 two local sureties of the like amount to the satisfaction of the Trial Court on the condition that-
 - a) They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
 - b) They shall not in any manner, tamper with the prosecution witnesses.
7. The applicants are being grant bail on the condition that if the applicants are again found involve in similar commission of offence, it would be open for the State to apply for cancellation of the bail.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge