

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.6055 of 2020**

1. Goldan @ Anis S/o Ameen Aged About 24 Years R/o Tukupara, Thana Seetapur, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh
2. Salman @ Kalamudin Ansari S/o Jasmuddin Ansari Aged About 19 Years R/o Dahejvar, Thana Balrampur, District Balrampur Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- **Petitioner****Versus**

1. State Of Chhattisgarh Through Police Station Pasta, District Balrampur Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh

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For Applicants : Shri Vikash Pandey, Advocate  
 For Respondent/State: Shri Dinesh Tiwari, Dy.GA

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**Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava****Order On Board****27/10/2020**

Heard.

1. The applicants have moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.46/2019 registered at Police Station Pasta, District Balrampur-Ramanujanj for the offence punishable under Section 457 & 380 read with Section 34 of the IPC. The applicants were arrested on 18-03-2020 & 25-03-2020 respectively.
2. Case of the prosecution is that the applicants have stolen livestock valued at Rs.32,000/-.
3. Learned counsel for the applicant would submit that the applicants have been falsely implicated in this case, as they have not stolen any of the livestock. He submits that the police has prepared false seizure of livestock from the applicants. It is lastly submitted that at this stage, when investigation is complete, charge sheet has been filed and that the applicants are in jail since 18-03-2020 & 25-03-2020, they may be granted bail as the offences are not punishable by life imprisonment.

4. On the other hand, learned State counsel opposes the bail application by submitting that recovery of livestock from the possession of the applicants prima facie involves the applicants in the alleged offence. He further submits that other cases of theft of livestock have been registered against the applicants, which shows that the applicants are habitual offenders.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of allegation and that the applicants are in jail since 18-03-2020 & 25-03-2020 respectively and considering that the investigation is complete, charge sheet has been filed and the maximum punishment which could be awarded for the alleged offence, I am inclined to enlarge the applicants on bail.

6. Accordingly, the bail application(M.Cr.C.Nos.6055 of 2020) 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/- with one local surety for the like amount to the satisfaction of the Trial Court on the condition that they shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

SD/-  
(**Manindra Mohan Shrivastava**)  
**Judge**