

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6535 of 2020

1. Om Prakash Sahu S/o Shri Gaukaran Sahu Aged About 18 Years R/o Chota Ashok Nagar, Near Pragati School, Police Station Gudiyari, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Prakash Sahu S/o Shri Manharan Sahu Aged About 23 Years R/o Chota Ashok Nagar, Near Pragati School, Police Station Gudiyari, Raipur , District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. Himanshu Rao S/o Shri Ravishankar Rao Aged About 21 Years R/o Bada Ashok Nagar, In Front Of Samli Beauty Parlor, Police Station Gudiyari, Raipur , Tehsil And District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Saraswati Nagar, Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicants	:	Shri Pushkar Sinha, Advocate
For State	:	Shri Ravish Verma, Govt. Advocate

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

Order On Board

06/11/2020

Heard.

1. The applicants are arrested in connection with Crime No.88/2020 registered in Police Station –Saraswati Nagar, Raipur, District -Raipur (CG) for alleged commission of offence under Sections 457, 380 IPC.
2. Case of the prosecution, in brief, is that the applicants broke open the house of the victim and committed theft of silver and gold ornaments of total value of Rs.3,91,667/-.
3. Learned counsel for the applicants would submit that the applicants have not

committed any offence. They have been falsely implicated in the case by preparing a false seizure. Learned counsel further submits that the investigation is complete and charge sheet has also been filed. The applicants are in jail since 11.8.2020 and as there is no criminal antecedent of commission of similar offence, the applicants may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application by submitting that recovery of stolen articles from the applicants makes out a prima facie case of commission of offence alleged against them.
5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the material disclosed from the case diary as also total value of stolen articles, considering that the applicants are in jail since 11.8.2020 and that there are no criminal antecedents of commission of similar offence, I am inclined to grant bail to the applicants.
6. The application is accordingly 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 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.

Sd/-
(Manindra Mohan Shrivastava)
Judge