

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5883 of 2020**

1. Rajmal & Anr. Son Of Sheku, Aged About 28 Years Resident Of Tadvli, Village Poha, P.S. Udaygarh, District Alirajpur (Madhya Pradesh), Madhya Pradesh
 2. Bharat Bhuriya Son Of Shekuram, Aged About 24 Years Resident Of Kedar Faliya, Village Chhoti, Jamali, P.S. Udaygarh, District Alirapur (Madhya Pradesh), Madhya Pradesh
- Applicants**

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Mujgahan, Raipur, District Raipur (Chhattisgarh).
- Respondent**

MCRC No. 6829 of 2020

- Belsingh, S/o Jhaitu, Aged About 28 Years R/o Thandla, Police Station - Udaygarh, District Alirajpur (M.P.), District : Alirajpur, Madhya Pradesh

---- Applicant

Versus

- State of Chhattisgarh, Through - Station House Officer, Police Station Mujgahan, Raipur, District Raipur Chhattisgarh.
- Respondent**

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

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****20/10/2020**

1. Heard.
2. Both applications are disposed off by this common order as they arise out of same crime number.
3. The applicants have been arrested on 18.12.2019, on the allegation of having committed offence under Section 457, 380 of I.P.C. They moved these applications for grant of bail in connection with Crime No. 24/2019 registered at Police Station- Mujgahan, District- Raipur (C.G.).
4. Prosecution case is that the applicants committed theft of cash and jewellery total valuation amount about Rs.14,000/-

5. Learned counsel for the applicants would argue that against the applicants Police has made out number of false criminal cases of theft, where as, the applicants are not involved in the alleged theft and seizure are false and fabricated. It is further submitted that the applicants are in jail since 18.12.2019 and investigation is complete, charge-sheet has been filed, therefore, at this stage, they may be granted bail.
6. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that prima-facie case is made out against the applicants because from the possession of them various stolen articles have been seized. He would further submit that the applicants are habitual offender and against them as many as 11 cases of similar nature have been registered, upon their memorandum it is found that they were involved in the number of theft cases.
7. I have heard learned counsel for the parties and taking into consideration taking into consideration the nature of offence and value of the stolen items. Further considering that investigation is complete, charge-sheet has been filed and the applicants are in jail since 18.12.2019, it is a fit case for grant of bail.
8. 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/- with two local sureties each for 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) The applicants shall not in any manner, tamper with the prosecution witnesses.
 - c) If the applicants are found involved in the similar offences in future, it would be open for the State to apply for the cancellation of bail.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge