

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6634 of 2020**

1. Gourav Kumar Khilvandre & Anr S/o Doman Khilvandre Aged About 21 Years R/o Gandhi Chowk, Village Joratarai, Police Station Utai, District Durg Chhattisgarh
2. Pinku Kothari S/o Late Devaram Kothari Aged About 25 Years R/o Subhash Chowk, Village Dundera, Police Station Utai, District Durg Chhattisgarh
3. Jay Prakash Sonwani @ Ranga S/o Charan Das Sonwani Aged About 20 Years R/o Subhash Chowk, Village Dundera, Police Station Utai, District Durg Chhattisgarh

**---- Applicants**

**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg Chhattisgarh.

**---- Respondent**

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|---------------|---|--------------------------------|
| For Applicant | : | Mr. Vijay Kumar Sahu, Advocate |
| For State     | : | Mrs. Richa Shukla, Dy. G.A.    |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order**

**16.12.2020**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of bail as they were arrested on 29.02.2020 in connection with Crime No. 29/2020, registered in Police Station Anda District Durg (C.G.) for offence punishable under section 380, 34 of IPC.
2. As per the prosecution case, on 20.02.2020, the applicants committed theft of cable wire from the drum which was meant for laying down in between Risama Railway Station to Maraunda railway station and was kept

near the railway under-bridge. The cable wire were of 20 kg copper wire amounting to Rs. 45,000/-.

3. Learned counsel for the applicants submits that no identification of the material has been made and only on the suspicion the applicant has been arrested and chargesheet has been filed therefore no further investigation would be necessary and he may be enlarged on bail.

4. Learned State counsel opposes the submission made by learned counsel for the applicants.

5. Considering the facts of this case and the nature of offence and the fact that he is in jail since 29.02.2020, I am inclined to release the applicants on bail. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on their furnishing personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

6. Certified copy as per rules.

Sd/-

**(Goutam Bhaduri)**

**JUDGE**