

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7444 of 2020

1. Sunil Kumar Sahis S/o Gorelal Sahis, Aged About 22 Years, R/o Adarsh Nagar, Chamda Godaam, Raigarh, Tehsil and District Raigarh (C.G.).
2. Arjun Sarthi S/o- Late Kailash Sarthi, Aged About 30 Years, R/o Adarsh Nagar, Chamda Godaam, Raigarh. Current R/o Amplimauna, Chowki Jutemill, Tehsil and District Raigarh (C.G.).

---- Applicants

Versus

1. State Of Chhattisgarh Through P.S. City Kotwali, Chowki Jutemill, Tehsil and District Raigarh (C.G.).

---- Respondent

For Applicants	: Shri Krishna Tandon, Advocate.
For Respondent/State	: Shri B.P. Banjare, Dy. Govt. Advocate.

Hon'ble Justice Shri Gautam Chourdiya

Order on Board

08/12/2020

- 1) Heard on admission.
- 2) The application is admitted for hearing.
- 3) With the consent of the parties, the matter is heard finally.
- 4) This is the First Bail Application filed under Section 439 of Code of Criminal Procedure, 1973 by the applicants for grant of bail as they are in custody since 11/09/2020 in connection with offence under Sections 379/34 of IPC at Police Station City Kotwali, Chowki Jutemill, Tehsil and District - Raigarh (C.G.) under Crime No. 639/2020.
- 5) Allegation against the applicants is that on 31/08/2020 motorcycle of the complainant was stolen by the present applicants and later on their memorandum the same was recovered. On the report being lodged to the above effect,

offence under the aforesaid sections has been registered against the applicants.

- 6) Learned counsel for the applicants submits that applicants are innocent persons and have been falsely implicated in this case. He submits that the applicants are in jail since 11/09/2020 and conclusion of the trial is likely to take some time. Therefore, the present applicants be released on bail.
- 7) On the other hand, learned counsel for the respondent/State opposes the bail application.
- 8) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the fact that the applicants are in jail since 11/09/2020 and the trial is likely to take some time for disposal, without commenting anything on merits of the case, the application is **allowed**. It is directed that in the event of each of the applicants executing a personal bond for a sum of **Rs. 50,000/-** with two sureties of Rs. 25,000/- to the satisfaction of the concerned Trial Court, they shall be released on bail. They are directed to appear before the Trial Court on each and every date given to them by the said Court, till disposal of the trial.
- 9) It is made clear that the applicants shall not involve themselves in any offence of similar nature in future or else this order granting bail to the applicants shall automatically stand cancelled without further reference to the Bench.

-Sd/-
(Gautam Chourdiya)
Judge