

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7176 of 2019**

- Akash Bag son of Suresh Bag, aged about 21 years, Caste-Gada, resident of Ward No.8, Sarovar Road, Police Station Manendragarh, District Korea (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Baikunthpur, District Korea (C.G.)

---- Respondent**And****MCRC No. 7193 of 2019**

- Akash Bag son of Suresh Bag, aged about 21 years, Caste-Gada, resident of Ward No.8, Sarovar Road, Police Station Manendragarh, District Korea (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station – Podi (wrongly mentioned as Manendragarh), District Korea (C.G.)

---- Respondent

For Applicant	:	Shri Ramsevak Soni, Adv.
For Respondent	:	Shri B.L. Sahu, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/01/2020**

1. Since in the aforesaid bail applications, the applicant is one and same, they are being disposed of together by this common order.
2. The applicant has preferred these first bail applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime

No.112/2019, registered at Police Station - Baikunthpur, District Korea and Crime No.110/2019 registered at Police Station - Podi, District Korea (C.G.) for the offence punishable under Sections 457, 380 and 34 IPC.

3. The prosecution story, in brief, is that on 13.07.2019, complainant Ravikumar and Kashi Prasad have lodged a written report at police station alleging therein that on 12.07.2019 at night, some unknown person entered their house and stolen Rs.700/- and one mobile power bank from the house of Ravi Kumar and golden and silver ornament from the house of Kashi Prasad. During investigation, his memorandum statement was recorded, based on which stolen articles were seized. Based on this, offence has been registered. The present applicant has been taken into custody on 25.07.2019.
4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the prosecution has used same memorandum and seizure in both crime. He also submits that the applicant is in custody since 25.07.2019, the offence is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposed the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant has no criminal antecedent, the applicant is in custody since 25.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
8. Accordingly, the bail applications are allowed.
9. It is directed that the applicant shall be released on bail on

his executing a personal bond for a sum of Rs.50,000/- - Rs.50,000 with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Pekde

Sd/-
(Rajani Dubey)
Judge