

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7334 of 2019

- Vijay Yadav S/o Vasudev Yadav Aged About 24 Years R/o Ward No. 07, P. S. & Tahsil Gharghoda, District Raigarh Chhattisgarh.
- Awadhesh Chakradhari S/o Prabhushan Chakradhari Aged About 22 Years R/o Ward No. 05, P. S. & Tahsil Gharghoda, District Raigarh Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through Officer-In-Charge, Police Station Gharghoda, District Raigarh Chhattisgarh

---- Respondent

For Applicants	:-	Ms. Akshara Amit, Advocate
on behalf of		Mr. Ashutosh Mishar, Advocat
For Respondent-State	:-	Mr. B.L.Sahu, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

10/01/2020

- The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing his on regular bail during trial in connection with Crime No. 166/2019 registered at Police Station – Gharghoda, District Raigarh (C.G.) for the offence punishable under Sections 457 & 380 of the IPC.

- The prosecution story, in brief, on 10.09.2019 a written complaint was made by the complainant Chhannulal Jangde that some unknown persons entered his house breaking the lock and stolen one golded chain, 2 golden bracelets, one earring, one ankle total worth of Rs. 1,50,000/- and Rs, 10,000/- cash. Based on this, offence has been registered. The present applicant has been taken into custody on 17.09.2019.
- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the offence was committed by some unknown persons and applicants have been implicated in the case only on the basis of suspicion. As the applicants are in jail since 17.09.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions which may imposed by this Court, the present applicants may be released on bail.
- On the other hand State counsel strongly opposes the bail application.
- I have heard learned counsel for the parties and perused the entire material available on record.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further considering the fact that they are in jail since 17.09.2019 and as the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

- Accused/applicants are directed to be released on bail on his executing a personal bond in the sum of Rs. 50,000/- each with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge

Ankit