

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7415 of 2019**

1. Rajesh Bhadoriya & Anr. S/o Ram Naresh Bhadoriya Aged About 20 Years R/o Village Gudha Post Jaitpura Tahsil Mehona District Bhind Madhya Pradesh. R/o Village Vishrampur, Police Station Vishrampur, District Kondagaon Chhattisgarh.
2. Shivendra Singh Sholanki S/o Gajraj Singh Solanki Aged About 19 Years R/o Village Bhaguapara, Police Station Bhaguapuras Tahsil Sevda District Datia Madhya Pradesh. R/o Village Vishrampur, Police Station Vishrampur, District Kondagaon Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Kotwali, District Bastar Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Vikas A. Shrivastava, Advocate.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13.01.2020**

- The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 385/2019 registered at Police Station - Kotwali, District Bastar (C.G.) for the offence punishable under Section 379/34 of IPC.
- The prosecution story in nutshell is that, one Pushpendra Singh Tomar has given a written complaint to concern Police Station that on receiving information about the network of BSNL, he sent his technician to spot where he found that some batteries are missing and when he inquired about the same, some villagers told him that some unknown persons came there and have stolen the batteries. On the basis of that, after investigation offence has been registered, and

they have been arrested.

- Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants are in jail since 07.08.2019 and they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, therefore, the present applicants may also be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants and further considering the fact that the offence is triable by Judicial Magistrate First Class and 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 their 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

Vijay Sahu