

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7368 of 2019**

- Manoj Kumar, S/o Bihari Lal Gupta, Aged About 21 Years, R/o Village New Ledari, Ward No. 01, Police Station- Jhagrakhand, Tahsil- Manendragarh, District- Koriya, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, Police Station Sonhat, District- Koriya, Chhattisgarh.

---- Respondent

With**MCRC No. 7540 of 2019**

- Santkumar @ Guddu, Aged About 35 Years, R/o Amarpur, Police Station- Baikunthpur, District Koriya, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through Station House Officer, Police of Police Station- Sonhat, District- Koriya, Chhattisgarh.

---- Respondent

With**MCRC No. 7565 of 2019**

1. Manta Prasad, S/o Sheetal, Aged About 27 Years, R/o Village Lalpur, Police Station & Tahsil Manendragarh, District- Koriya, Chhattisgarh.
2. Ranjeet S/o Babulal, Aged About 38 Years, R/o Village Lalpur, Police Station & Tahsil Manendragarh, District- Koriya, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh, Through Station House Officer, Police of Police Station- Sonhat, District- Koriya, Chhattisgarh.

---- Respondent

With**MCRC No. 7661 of 2019**

- Hetram Ahirwar, S/o Shri Goma Prasad Ahirwar, Aged About 32 Years, R/o Village Naudhiya, Post Singrouli, Tahsil Bharatpur, Police Station- Janakpur, District- Korea, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sonhat, District Koria, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh

---- Respondent

With

MCRC No. 7805 of 2019

1. Rajan Singh, S/o Naresh Singh, Aged About 27 Years, R/o Koriya Colliery, Amadafai, Police Station- Chirmiri, District- Koriya, Chhattisgarh.
2. Krishna Singh, S/o Dilmohan Singh, Aged About 21 Years, R/o Amarpur, Jhalrapara, Police Station And Tahsil Baikunthpur, District- Koriya, Chhattisgarh.
3. Babulal, S/o Mahipal Singh, Aged About 70 Years, R/o Koriya Colliery, Malma Dafai, Police Station- Chirmiri, Tahsil Baikunthpur, District- Koriya, Chhattisgarh.
4. Shankar Dayal, S/o Gangadas Panika, Aged About 34 Years, R/o Village Koriya Colliery, Tahsil- Baikunthpur, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police of Police Station- Sonhat, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant s	: Mr. Ishwar Jaiswal, Adv. in MCRC No. 7368/2019 Mr. Anil Gulati, Adv. in MCRC Nos. 7565/2019, 7540/2019 and 7805/2019 Mr. Pawan Shrivastava, Adv. in MCRC No.7661/2019
For Respondent/State	: Ms. Reena Singh, P.L.

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

1. As all MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 152/2019 registered at Police Station- Sonhat, District- Koriya (C.G.) for the offence punishable under Sections 458, 380 r/w 34 of I.P.C.
3. The prosecution story, in brief is that, in the intervening night of 15/16.1.2019 when the security guard Shiv Singh was discharging his duty at SECL Katgodi at that time he saw 10 to 15 persons were

stealing the iron from the SECL and thereafter when the complainant and other security officer tried to catch the accused persons then the accused persons threatened the complainant and the accused persons committed the theft of scrap materials and computer worth of Rs. 50,000/- and fled away from the spot. Thereafter, offence has been registered against the present applicants.

4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that charge-sheet has been filed and the offence has been triable by the Judicial Magistrate First Class. The applicants are in jail since 17.10.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 facts that offence has been triable by the Judicial Magistrate First Class. The applicants are in jail since 17.10.2019 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.
8. 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 trial Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge