

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****MCRC No. 1282 of 2021**

- Ritik Keshwani, S/o Shri Chandrabhan Keshwani, Aged About 20 Years R/o House No. 138 R.D.A. Colony, Boriya Khurd Police Station Tikrapara, District Raipur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through - Police Station Pandri, Raipur District - Raipur Chhattisgarh.

----Non-applicant**MCRC No. 2219 of 2021**

- Bhav Gupta S/o Manohar Lal Gupta Aged About 29 Years R/o Baniya Para, Sarangarh, P.S. - Sarangarh, Tahsil - Sarangarh District - Raigarh Chhattisgarh

---- Applicant**Versus**

- The State Of Chhattisgarh Through The P.S. Pandri, District Raipur Chhattisgarh

 For Applicant (MCRC No. 1282/2021) : Shri Ajay Kumrani,
 Advocate
 For Applicant (MCRC No. 2219/2021) : Shri Rishikant Mahobia,
 Adv.
 For respondent/State : Shri Sameer Oraon, GA

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****12-5-2021**

1. As these two MCRCs arise out of same crime number of same police station, they are being heard together and disposed of by this common order.
2. These are first bail applications filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicants, who have been arrested on 31-12-2020 (Ritik Keshwani) and 30-12-2020 (Bhav

Gupta) in connection with Crime No. 202/2020 registered at Police Station Pandri, Distt. Bilaspur (C.G.), for the offence punishable under Sections 379/34 of the Indian Penal Code.

3. Case of the prosecution, in brief, is that on 28-29.12.2020 in the night, applicants along with co-accused Jagannath Dewangan with a common intention, kept stolen motorcycle KTM CG 04, LT-2288 cost to approximately, 1,50,000/- near bush of Filter plant for selling. On the memorandum of applicant Bhav Gupta, the motorcycle was seized. Against applicants, other offences have also been registered, which is also transpired from the impugned order dated 23-1-2021 and 19-1-2021.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated. He further submits that the applicants are in jail for about 4 and ½ months, the applicants will not abscond if bail is granted, charge sheet has already been filed, therefore, present applicants may be enlarged on bail.

5. On the contrary, learned State counsel opposes the applications for grant of bail.

6. Looking to the facts and circumstances of the case, nature and gravity of offence, period of detention and also considering the fact that the trial will take some more time for its conclusion, and as per submission of applicant's counsel charge sheet has been filed, without further commenting on merits of the case, I am inclined to release the applicants on bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed and it is directed that the applicants shall

be released on bail on each of their furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. They shall appear before the trial court regularly on each and every date as per direction of the court, unless exempted from appearance.

Certified copy as per rules.

**Sd/-
(N.K. Chandravanshi)
VACATION JUDGE**

pathak/-