

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1176 of 2021**

1. Anil Kumar Banjare, S/o Late Milan Banjare, Aged About 29 Years, R/o Village Kosrangi, Police Station Khallari, District Mahasamund Chhattisgarh.
2. Pushkar Goswami, S/o Late Chandrahaas Goswami, Aged About 40 Years, R/o Village Kosrangi, Police Station Khallari, District-Mahasamund Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station Khallari, District Mahasamund Chhattisgarh.

---- Respondent

For Applicants	: Mr. Shubhanak Tiwari, Adv.
For Respondent/State	: Mr. Ravish Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****31.05.2021**

1. The matter is heard through video conferencing.
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. 27/2021 registered at Police Station Khallari, District Mahasamund (C.G.) for the offence punishable under Sections 457, 380, 34 of I.P.C.
3. The prosecution story, in brief is that, complainant lodged an FIR Stating that some unknown persons committed theft of one samsung T.V. amounting to Rs. 30,000/- and cash of Rs. 10,000/-. 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 there is no direct evidence against the applicants and they have been arrested only on the basis of suspicion. He next added that the applicants are in jail since 01.02.2021, 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 submitting that some amount has been seized from the combined possession of the applicants and there are two antecedents registered against the applicants. Therefore, no case is made out to release the applicants on bail.
6. I have heard learned counsel for the parties and perused the records.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the applicants are in jail since 01.02.2021, 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)
Vacation Judge**