

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1883 of 2021**

1. Deepak Kumar Yadav, S/o Masatram, Aged About 20 Years, R/o Village Chhinpur, Tahsil Pali, District Korba Chhattisgarh.
2. Maheshwar Prasad Biyar, S/o Ramayan Prasad, Aged About 25 Years, R/o Village Chhinpur, Tahsil Pali, District Korba Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through The In-charge Police Chowki Hardibazar District Korba Chhattisgarh.

---- Respondent**With****MCRC No. 2021 of 2021**

- Saurabh Kumar Patle, S/o Jagdev Prasad Patle, Aged About 19 Years, R/o Village Chhinpur, Tahsil Pali District Korba Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Chouki Hardibazar, Police Station Kusmunda, District Korba Chhattisgarh.

---- Respondent

For Applicants	: Mr. Aditya Khare, Adv. in MCRC No. 1883/2021 Mr. Vikas Pandey, Adv. in MCRC No. 2021/2021
----------------	--

For Respondent/State	: Mr. Gagan Tiwari, G.A.
----------------------	--------------------------

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.06.2021**

1. The matter is heard through video conferencing.
2. As both MCRCs arise out of same crime number, they are being heard and disposed of by this common order.
3. The accused/applicants have moved these bail applications under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Istgasha (इस्तगाशा) No. 02/2021 registered at Police Station-Kusmunda, District Korba (C.G.) for the offence punishable under Sections 41 (1-4) Cr.P.C. & 379 r/w 34 of IPC.
4. The prosecution story, in brief is that, present applicants have stolen 2 tullu pumps and 9 ceiling fans. Thereafter, offence has been registered against the present applicants.
5. Learned counsels for the applicants submit that the applicants are innocent and have been falsely implicated in the crime in question. They further submit that only on the basis of suspicion, present applicants have been arrested and no antecedents have been registered against them. They next added that applicants are in jail since 24.02.2021, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
6. On the other hand, counsel for the State opposes the bail applications submitting that there is seizure of pump and ceiling fans from the combined possession of the applicants. Therefore, no case is made out to release them on bail.
7. I have heard learned counsel for the parties and perused the record.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case and further

considering the detention period of the applicants, 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.

9. 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**

Ruchi