

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3416 of 2021

Rupesh Joshi @ Lui, S/o. Ganeshram Joshi, Aged About 20 Years,
Residence Of Kukri Talab Gudhiyari Raipur, Tahsil And District Raipur
Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh, Through Police Station- Mana Camp Raipur,
District Raipur Chhattisgarh.

---- Respondent

&

MCRC No. 2382 of 2021

Chhabilal Koshaley @ Pintu, S/o. Hemlal Koshaley, Aged About 35 Years,
R/o. Block No. 32/32, Housing Board Colony, Kachana, P.S. Khamhardih,
Raipur, District Raipur Chhattisgarh

---- Petitioner

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Mana
Camp Raipur, District Raipur Chhattisgarh

---- Respondent

For Applicants : Mr. Sumit Jhanwar & Rekhraj Baghel, Advocates

For Respondent : Mr. Rahul Jha, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

27.07.2021

1. Both the bail application are being heard together and decided by this common order, as they are arising out of the same crime.
2. Both are the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.19/2021 registered at Police Station- Mana Camp Raipur, District Raipur for the offence punishable under Sections 457, 380, 34 of Indian Penal Code.
3. As per the prosecution case, a report was made by one Sushil Kumar Agrawal on 06.02.2021 that on 03.02.2021 from his Godown

the Milk Powder total 90 Bags, amounting to Rs.2,96,000/-, were stolen wherein both the applicants were involved and they take away the Milk Powder in the vehicle C.G. 04 J.D. 1848 and thereafter distributed it.

4. Learned counsel for the applicants would submit that only on the basis of the memorandum the applicants have been arrested, the charge sheet has been filed and the applicants are in jail since 08.02.2021, therefore, they may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Considering the facts and circumstances of the case and the nature of allegation and the fact that the charge sheet has been filed, the applicants are in jail since 08.02.2021 and no further investigation is necessary, I am inclined to release the applicants on bail. Accordingly, both the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge