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HIGH COURT OF CHHATTISGARH, BILASPUR**(Proceedings through Video Conferencing)****M.Cr.C. No. 3558 of 2021**

- Chhotu @ Bachha Sahu, S/o Mohan Sahu, aged – 21 years, R/o Gurunanak Ward, Bhatapara, District Balodabazar-Bhatapara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : S.H.O. P.S. Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

---- State/Non-Applicant**M.Cr.C. No. 3561 of 2021**

1. Manoj @ Chhotu Devangan S/o. Sukhru Ram Devangan, aged about 23 years
2. Mannu Sahu S/o. Sukhdev Sahu, aged about 23 years,
Both are R/o. Gurunanak Ward, Bhatapara, District Balodabazar-Bhatapara (C.G.)

---- Applicants**Versus**

- The State of Chhattisgarh, Through Police Station Bhatapara City, District Balodabazar-Bhatapara (C.G.)

---- State/Non-Applicant**M.Cr.C. No. 3597 of 2021**

- Malikram Dewangan @ Chhotu S/o. Awadhram Dewangan, aged about 32 years, R/o. Village Palari Ward No. 9, P.S. Palari, District Balodabazar-Bhatapara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : The Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

----State/Non-Applicant**M.Cr.C. No. 3815 of 2021**

- Harishankar @ Baau Dewangan S/o. Rajkumar Dewangan, aged 27 years, R/o. Ward No. 09, Palaari, District Balodabazar-Bhatapara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : S.H.O. P.S. Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

---- State/Non-Applicant

M.Cr.C. No. 4008 of 2021

- Hemant Dewangan son of Malikram Dewangan, aged about 25 years, resident of Sakri, P.S. Balodabazar, District Balodabazar-Bhatapara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

---- State/Non-Applicant**And****M.Cr.C. No. 4536 of 2021**

- Umakant Gupta, son of late Vishnu Gupta, aged about 30 years, resident of Hirripara Ganesh Nagar, Bhathagaon, Raipur, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through : Station House Officer, Police Station Bhatapara (City), District Balodabazar-Bhatapara (C.G.)

---- State/Non-Applicant

For respective Applicants : Shri Akhtar Hussain, Shri Samir Singh, Shri Pravin Kumar Tulsyan, Shri Satya Prakash Verma and Shri Banhiman Roy, Advocates in respective bail applications

For Non-Applicant/State : Shri Rahim Ubwani, Panel Lawyer in all the bail applications

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****15.07.2021**

1. Heard.
2. As all the above six first bail applications under Section 439 of Cr.P.C. preferred by the respective applicants arise out of the same Crime No. 168/2021 registered in Police Station- Bhatapara (City), District Balodabazar-Bhatapara (CG) for the offence punishable under Sections 380, 120-B, 457 & 454/34 of IPC, they are being disposed of by this common order.
3. Prosecution case, in brief, is that on 04.05.2021 complainant namely Najeem Khan lodged a report alleging that he is Head of CMS Info System Limited and his branch situated at Maharani Chowk. On 03.05.2021 at about

08:15 p.m. from the said branch, a bag containing Rs.28,25,300/- was stolen by unknown person. During investigation, all the above applicants were arrested by the police and the offences under the aforesaid Sections of IPC were registered against the applicants.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. They submit that the applicants are in jail since 09.05.2021, the applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding, charge-sheet has been filed and due to Covid-19 pandemic, trial is likely to take some time for its final disposal. Therefore, the applicants be released on bail by this Court.
5. On the other hand, learned counsel for the Non-Applciant/State opposes the bail applications and submits that the applicants have no criminal antecedents.
6. I have heard learned counsel for the parties.
7. Having regard to the facts and circumstances of the case, considering the detention period of the applicants who are 21, 23, 25, 27, 30 & 32 years old, the fact that the applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding as admitted by counsel for the parties and charge-sheet has already been filed, due to covid-19 pandemic, conclusion of trial may take some time, without commenting anything on merits of the case, the applications are allowed.
8. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail, on following conditions :-
 - i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court.

- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- v. they shall not involve themselves in any offence of similar nature in future.

9. Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar nature of offence.

10. In result, M.Cr.C. No. 3558 of 2021; M.Cr.C. No. 3561 of 2021; M.Cr.C. No. 3597 of 2021; M.Cr.C. No. 3815 of 2021; M.Cr.C. No. 4008 of 2021 & M.Cr.C. No. 4536 of 2021 are allowed on the above terms and conditions.

Sd/-
(Gautam Chourdiya)
Judge

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