

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4798 of 2021**

1. Vishal Singh, S/o Late Ravi Singh, aged about 22 Years,
2. Vikram Singh @ Dugdug, S/o Late Ravi Singh, aged about 21 Years,
3. Mukesh Singh, S/o Late Mangal Singh, aged about 19 Years,
4. Philip Baghel, S/o Devendra Baghel, aged about 21 Years,

All are R/o at Sardar Ballabh Bhai Patel Ward Jagdalpur, District Baster, Chhattisgarh

----Applicants

Versus

- State of Chhattisgarh, Through the Police Station Bodhghat, District Baster, Chhattisgarh.

---- Non-applicant

For Applicants	Shri P.K. Tulsyan, Advocate.
For State	Shri Chitendra Singh, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board

27/08/2021

1. The matter is heard through Video Conferencing
2. The applicants have preferred this application under Section 439 of Cr.P.C. as they have been arrested in connection with Crime No.181/2021 registered at Police Station Bodhghat, District Bastar, C.G. for the offence punishable under Section 379 read with 34 of Indian Penal Code.
3. Allegation against the present applicants is that on 13.06.2021

they stole the truck of complainant- Murgesh Prasad bearing registration No. CG19-BD-8878. On report being lodged to the effect, the offence under the aforesaid Section was registered against the present applicants.

4. Learned counsel for the applicants submits that applicants are innocent persons and have been falsely implicated in this case. He submits that there is no direct proof of applicants' involvement in the alleged crime. Applicants are in jail since 14.06.2021, charge sheet has already been filed, due to COVID 19-pandemic conclusion of trial is likely to take some time. Therefore, the applicants be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application. However, he submits that the applicants have no criminal antecedents.
6. Heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation made against the applicants, the detention period of the applicants, who are 22, 21, 19 & 21 years old, charge sheet has been filed, the applicants have no criminal antecedents and there is no likelihood of the applicants tampering with the evidence or absconding as admitted by both the counsel and due to COVID-19 pandemic conclusion of trial may take some time, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case to release the applicants on bail. Accordingly, the bail application is allowed. 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 the 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 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.

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 offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh