

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Proceedings through video conferencing

MCRC No. 4907 of 2021

1. Badal Jagat S/o Rajkumar Jagat Aged About 22 Years R/o Kabir Nagar, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through Police Station Modahapara, District Raipur, Chhattisgarh.

---- Respondent

MCRC No. 5213 of 2021

1. Gopal Bagh S/o Rohit Bagh, Aged About 20 Years R/o Near Stadium Geeta Nagar, Kota, Police Station - Saraswati Nagar, District Raipur Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through- Police Station - Modahapara, District - Raipur Chhattisgarh.

---- Respondent

MCRC No. 5397 of 2021

1. Ramesh Mahanand S/o Durje Mahanand Aged About 22 Years R/o Kabir Nagar, Raipur District Raipur Chhattisgarh

---- Applicant

Versus

1. State of Chhattisgarh Through Police Station Modahapara, Raipur District Raipur Chhattisgarh

---- Respondent

For Applicants	-	Shri Kishore Narayan, Advocate
For Respondent/State	-	Shri Arjit Tiwari, Panel Lawyer.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice

Order On Board

27/08/2021

1. Since all three bail applications are arising out of the same crime number, they are being heard and decided by this common order.
2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C., as they are arrested in connection with Crime No.90/2020, registered at Police Station Modahapara, District: Raipur (C.G.) for the offence punishable under Section 457, 380, 34 of the Indian Penal Code.
3. Applicants Ramesh Mahanand and Badal Jagat have preferred the first bail applications, while applicant Gopal Bagh has preferred the Second bail application. The first bail application of Gopal Bagh was dismissed as withdrawn in MCRC No.8525 of 2020 on 04-03-2021.
4. Although, the applicants have committed theft of cash Rs.67,20,000/- from the shop belonging to Punit Kabra of Hari Om Agency and applicant Gopal Bagh have nine previous criminal antecedents. The fact remains that the applicants are in jail since 12-09-2020 i.e. for almost a year.

5. Learned State counsel would vehemently oppose the prayer for grant of bail. He would submit that if the applicants are released on bail, they shall again commit offence of theft.
6. Considering that the applicants are in jail since last about a year and the offence is triable by the Judicial Magistrate First class, I am inclined to release the applicants on bail on the following conditions:-
 - each of the applicant shall execute a personal bond for a sum of Rs.1,00,000/- each with one local surety for the like amount to the satisfaction of the trial Court.
 - applicants shall appear before the concerned Police Station on first day of every month between 11 a.m. to 2 p.m. during pendency of trial.
 - If the applicants violate these conditions, the present order allowing bail to them shall stand withdrawn and the concerned Investigating Officer would be at liberty to arrest the applicants. Similarly, if the applicants commit any other offence of similar nature during pendency of trial, the bail applications shall lose its efficacy and they shall be arrested forthwith.
7. Accordingly, the bail applications are allowed.

SD/-

Prashant Kumar Mishra
Acting Chief Justice