

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6569 of 2021**

1. Rupchand S/o Krishna Kumar Aged About 21 Years R/o Village Dongripali, Kailashpur, Police Station Pithora, District Mahasamund, Chhattisgarh
2. Parmeshwar S/o Ajeetram Aged About 18 Years R/o Village Lahround, Police Station And Tahsil Pithora, District Mahasamund, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Pithora, District Mahasamund, Chhattisgarh

---- Respondent

For Applicant
For Respondent /State

Mr. R. Pradhan, Advocate
Dr. Veena Nair, Dy. AG

Hon'ble Shri Justice Gautam Chourdiya
Order On Board

25.10.2021

1. Heard.
2. The applicants have preferred this first bail application 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.194/2021 registered at Police Station Pithora District Mahasamund (CG) for the offence punishable under Sections 457 & 380 of the IPC.
3. The case of the prosecution is that complainant Santraram Sen

lodged a report in the Police Station on 4.8.2021 that some unknown persons have entered in his shop in the night by breaking the shutter and have stolen some golden and other ornaments and also cash of Rs.94,000/-. During the course of investigation, stolen articles were recovered from the possession of the applicants.

4. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. He also submits that the applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding, he is in jail since 6.8.2021 and trial is likely to take some time for its final disposal, therefore, the applicants may be released on bail by this Court.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Considering the facts and circumstance of the case, the nature of allegations levelled against the applicants, the detention period of the applicants, who are 21 and 18 years old, as also that there is no criminal antecedents of the applicants, charge sheet has already been filed and there is no likelihood of the applicants tampering with the evidence or absconding as admitted by both the counsel and conclusion of trial may take some time, without expressing any opinion on the merits of the case, this Court is inclined to release the applicants on regular bail.

7. It is directed that in the event of applicants executing a personal bond for a sum of Rs.1,00,000/- with two sureties of Rs.50,000/- 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 not involve themselves in any offence of similar nature in future.

8. 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.

Sd/-
(Gautam Chourdiya)
Judge

Shyna