

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7521 of 2020**

- Ujjawal Singh S/o Rajesh Singh, aged about 19 years, R/o Front of Chakrapani School, Balodabazar, Distt. Balodabazar – Bhatapara (C.G.)

(In jail)

---- Applicant

Versus

- State Of Chhattisgarh, through, Station House Officer, Police Station – Simga, District Balodabazar – Bhatapara (C.G.)

---- Non-applicant

M.Cr.C. No. 7274 of 2020

- Shiv Kumar @ Raju, son of late Shri Kriparam Sahu, aged about 36 years, resident of Gourav Path Baloda Bazar, District Baloda Bazar, Bhatapara

(In jail)

---- Applicant

Versus

- State Of Chhattisgarh, Through : Station House Officer, P.S. Simga, District Baloda Bazar, Bhatapara (C.G.)

---- Non-applicant

M.Cr.C. No. 7966 of 2020

- Navin Prakash Mishra, aged about 29 years, S/o Dilip Mishra, Resident of Main road Lahod, Police Chowki Lawan, P.S. Kasdol, Distt. Balodabazar – Bhatapara (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh, through the Police Station Simga, Balodabazar – Bharapara (C.G.)

---- Non-applicant

For Applicants	: Mr. Awadh Tripathi, Mr. Gajendra Kumar Sahu and Mr. Aditya Bhardwaj, Advocates for respective applicants.
For Non-applicant/State	: Dr. (Ms.) Veena Nair, Dy. A. G.

Hon'ble Justice Shri Gautam Chourdiya**Order on Board****12/01/2021**

- 1) Above mentioned three bail applications under Section 439 of the Cr.P.C. arise out of a common Crime No. 307/2020, registered at Police Station Simga, Balodabazar – Bhatapara (C.G.), for the offence punishable under Sections 341, 363, 392, 365, 120-B, 414, 397 read with Section 34 of the Indian Penal Code, therefore, they are being heard analogously and decided by this Common Order.
- 2) The prosecution story in brief is that the applicants and other co-accused persons looted a Truck bearing registration No. CG 07 BN 3413, which was carrying 450 domestic gas cylinders amounting to Rs.20,04,000/- and thereby committed the aforesaid offences.
- 3) Learned counsel appearing for the respective applicants would submit that the applicants have been falsely implicated in the crime in question as there is no evidence on record to connect the applicants with the crime in question. He further submits that one juvenile V & Sayed Shahanwaj Ali are the main culprit of the crime in question and the present applicants had only accompanied him the during the crime and they [Juvenile V & Sayed Shahanwaj Ali] had already been released on bail by the trial Court. He also submits that the applicants have been arrested on 24.09.2020, 24.09.2020 & 23.09.2020, respectively; charge sheet has already been filed and the trial is likely to take time for its final disposal. Therefore, applicants be released on bail.
- 4) On the other hand, learned counsel for the Non-applicant/State opposes the bail applications.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and further considering the facts that the present applicants have been arrested on 24.09.2020, 24.09.2020 & 23.09.2020, respectively; charge sheet has already been filed, and trial is likely to take time for its final disposal; and the fact that main culprits namely juvenile V & Sayed Shahanwaj Ali had already been released on bail by the trial Court and the

applicants have no criminal antecedent as admitted by the counsels for parties, without further commenting upon merits of the case, the bail applications are allowed. It is directed that in the event of the each of applicants executing a personal bond for a sum of Rs.50,000/- with two sureties of Rs. 25,000/- 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 not involve themselves in any offence of similar nature in future.

Certified copy as per rules

Sd/-

**(Gautam Chourdiya)
Judge**

D/-