

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7088 of 2021**

- Aamir Hussain @ Golu S/o Mubarak Hussain Aged About 27 Years R/o- Ward No. 29 Oodiya Mohalla Khurseepar, Tehsil And District : Durg, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : SHO P.S.- Mohgaon, District- Rajnandgaon, Chhattisgarh.

---- Respondent**MCRC No. 7566 of 2021**

1. Salman Khan S/o Firoj @ Arbaz Khan, Aged About 30 Years R/o Bade Gaon Maratala, Devendra Nagar, District Panna (M.P.) Present R/o Feshli Guthan Jungle, P.S. Pandariya, District Kabirdham, Chhattisgarh.
2. Rajulama @ Kancha S/o Veerbahadur Lama R/o Ward No. 29 Oodiya Basti Khurseepar Bhilai District Durg, Chhattisgarh.
3. Mithun Kumar S/o Ramcharan Ooiya Aged About 28 Years R/o Kapariya P.S. Kelhari District Koriya Present R/o Ward No. 29 Oodiya Basti Bhilai District Durg, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh, Through : SHO P.S. Mohgaon, District Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Vijay Kumar Sahu
For Respondent/State	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/10/2021**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by the common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No.

03/2021 registered at Police Station Mohgaon, District-Rajnandgaon (C.G.) against applicants for the offence punishable under Sections 380, 457,34 of the IPC.

3. The prosecution story, in brief is that, complainant Mukesh Pal lodged a report alleging that he has around 50 sheep. On 28.01.2021 night he kept all his sheep in yard. On next morning he saw somebody has stolen his all sheep. During investigation a car bearing registration No. CG-05-F-1828 was seized from the applicants and it is found that the theft was committed by the present applicants. Based on this offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that charge-sheet has been filed and the applicants are in jail since 18.07.2021, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the applicants are in jail since 18.07.2021, and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the applications are allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 50,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge