

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7128 of 2021**

- Hemraj @ Sunny Nimje S/o Shri Daulat Ram Nimje Aged About 25 Years R/o Shantinagar, Ward No. 6, Thana Police Chowki Chikhli, Tahsil And District Rajnandgaon, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Thelkadih, District Rajnandgaon, Chhattisgarh.

---- Respondent**MCRC No. 7483 of 2021**

- Pappu Kuldeep S/o Mohabbat Kuldeep Aged About 21 Years R/o Ward No. 2, Mohabbatpara, Thelkadih, Police Station Thelkadih, Tahsil And District - Rajnandgaon (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Thelkadih, District - Rajnandgaon (C.G.)

---- Respondent**MCRC No. 7496 of 2021**

- Roshanpuri Goswami S/o Suresh Puri, Aged About 22 Years R/o Ward No. 2, Mohabbat Para, Thelkadih, Police Station Thelkadih, District Rajnandgaon Chhattisgarh.
- Narsingh Verma S/o Salik Ram Verma, Aged About 24 Years R/o Ward No. 2, Mohabbat Para, Thelkadih, Police Station Thelkadih, District Rajnandgaon Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through The Police Station Thelkadih, District Rajnandgaon Chhattisgarh.

---- Respondent**MCRC No. 7680 of 2021**

- Akshaypuri Goswami S/o Prakash Giri, Aged About 32 Years R/o Village Dumardihkala, Khaprikhurd, Police Station Thelkadih, Tehsil And District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through The Police Station Thelkadih, District - Rajnandgaon Chhattisgarh.

---- Respondent

MCRC No. 7772 of 2021

- Sushil @ Suman S/o Rajkumar Sahu Aged About 18 Years R/o Village Thelkadih, Police Station Thelkadih, Tehsil Khairagarh, District Rajnandgaon (Chhattisgarh).

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Thelkadih, District - Rajnandgaon (Chhattisgarh)

---- Respondent

Mr. B. P. Singh, Mr. Abhishek Sharma, Mr. S.S. Baghel, counsel for the Respective Applicants.

Mr. Sameer Sharma, Dy. G.A., Mr. Anurag Verma, PL and Mr. Ravi Maheshwari, PL for the State.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

26.10.2021

1. The accused/applicants have moved these first bail applications under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 16/2021 registered at Police Station - Thelkadih, District Rajnandgaon (C.G.) for the offence punishable under Section 379, 34 of the IPC.
2. As per the prosecution case, the allegation against the present applicants is that they have stolen 40 pieces of iron centering plate lying in the field of the complainant. Based on that, during investigation, applicants have been arrested and the aforesaid offence has been registered against them.
3. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in the case. It is further submitted that the applicants Akshaypuri Goswami, Hemraj @ Sunny Nimje, Roshanpuri Goswami & Narsingh Verma are in jail since 04.07.2021 and applicants Pappu Kuldeep & Sushil @ Suman are in jail since 19.07.2021. As the offence is triable by Judicial Magistrate First Class and

they are ready to furnish adequate surety and shall abide by all the directions and conditions imposed upon them by the Court, the applicants may be granted bail.

4. On the other hand, counsel for the State strongly opposes the bail applications.
5. I have heard learned counsel for the parties.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicants, as 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 bail applications are allowed.
7. 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 said Court on each and every date given to them by the said Court.

Sd/-
(Rajani Dubey)
Judge