

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8573 of 2020**

1. Bhoklu Devar, S/o Late Shri Bharat Devar, Aged About 23 Years, R/o Rawabhatha Behind RTO Office Transport Nagar, P.S. Khamtarai District Raipur Civil & Revenue District- Raipur Chhattisgarh.
2. Rahul Sonwani @ Devar, S/o Shri Jogi Sonwani @ Devar Aged About 23 Years R/o Rawabhatha Behind RTO Office Transport Nagar, P.S. Khamtarai District Raipur Civil & Revenue District Raipur Chhattisgarh.

**---- Applicants****Versus**

- State Of Chhattisgarh Through Police Station Khamtarai District Raipur Civil & Revenue District Raipur Chhattisgarh, Chhattisgarh.

**---- Respondent**


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| For Applicants       | : Mr. Pushkar Sinha on behalf of<br>Mr. Ajay Mishra, Adv. |
| For Respondent/State | : Mr. Samir Uraon, G.A.                                   |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****10.03.2021**

1. The accused/applicants have moved this **second bail application** under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 78/2020 registered at Police Station- Khamtarai District Raipur (C.G.) for the offence punishable under Sections 457, 380 of IPC.
2. Earlier, the first bail applications of the applicants were rejected vide order dated 04.08.2020 passed in MCRC Nos. 3212/2020 & 3247/2020 by this Court.
3. The prosecution story, in brief is that, report was lodged by the complainant alleging that some unknown persons have

committed theft after housebreaking his house at night. Thereafter, 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 co-accused persons have granted bail by this Court in MCRC Nos. 3247/2020 & 7343/2020. The applicants are in jail since 20.02.2020, 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 and submits that the applicants are having criminal antecedents.
6. I have heard learned counsel for the parties and perused the record.
7. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that co-accused persons have granted bail by this Court in MCRC Nos. 3247/2020 & 7343/2020 and the applicants are in jail since 20.02.2020 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 application is 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**