

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8908 of 2020**

1. Harish Chandel S/o Dinesh Chandel Aged About 19 Years R/o Village Palaud, P.S. Mandir Hasaud, District Raipur Chhattisgarh.
2. Deepak Banjare S/o Jagpalan Banjare Aged About 19 Years R/o Village Barouda, Police Station Vidhan Sabha, District Raipur Chhattisgarh.

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

- State of Chhattisgarh through Station House Officer, Police Station Vidhan Sabha Raipur, District Raipur Chhattisgarh.,

**---- Non-applicant**


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| For Applicants | : | Mr. Pradeep Singh Rathore, Advocate. |
| For State      | : | Mr. V.K. Agarwal, Panel Lawyer       |

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**Hon'ble Shri Justice Gautam Chourdiya****Order on Board****25-01-2021**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail as they are in jail since 15-7-2020 in connection with Crime No. 43 of 2020 registered at Police Station Vidhan Sabha, Raipur, District Raipur (CG) for the offence punishable under Sections 457, 380, 34 of IPC.
2. The allegation against the present applicants is that they entered the shop of the complainant by breaking the lock and committed theft of articles worth Rs.25,000/-, thereby they committed the aforesaid offence.
3. Learned counsel for the applicants submits that they have not committed any offence and they have been falsely implicated in the crime in question. He would further submit that the prosecution has not collected sufficient material regarding theft of the said articles. The police has not seized any incriminating article from the possessions of the present applicants and they

have been implicated in a false case only on the basis of suspicion and they are in custody from 15-7-2020, therefore, they may be released on bail.

4. On the other hand, learned State counsel opposing the bail application would submit that apart from the present case, there are other six criminal cases registered against the present applicants i.e. Crime Nos.37/20, 43/20, 75/20, 136/20, 157/20 for offence under Sections 457 & 380 of IPC and Crime No.85/20 for offence under Section 461 of IPC, therefore, they are not entitled to be released on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering all the facts and circumstances of the case, particularly the material collected by the prosecution against the present applicants and as per report of the concerned Police Station, there are other six criminal cases registered against the present applicants, I am not inclined to grant bail to the applicants.
7. Accordingly, the instant bail application is liable to be and is hereby dismissed.

Sd/-

**(Gautam Chourdiya)**  
**Judge**

**Raju**