

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8700 of 2021**

- Bhavesh Kumar Kashyap S/o Shri Narendra Kumar Kashyap Aged About 25 Years R/o Village Aamgaon, Thana - Sihawa, Tahsil - Nagari, District - Dhamtari (C.G.)

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station - Narharpur, District - North Baster Kanker (C.G.)

---- Respondent

MCRC No. 9922 of 2021

- Siddharth Kumar Salam S/o Shri Kuber Salam Aged About 18 Years R/o Village Aamgaon, Thana Sihawa, Tahsil Nagari, District Dhamtari Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Narharpur, District North Baster Kanker Chhattisgarh.

---- Respondent

For Applicants :- Mr. Sunil Sahu, Advocate
For Respondent -State :- Mr. Afroj Khan, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board

16/12/2021

1. Since both the bail applications are arising out of same

crime number, they are being heard and decided by this common order.

2. The applicants have preferred these bail applications under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.41/2021 registered in Police Station Narharpur, Distt. North Baster Kanker C.G. for the offence punishable under Sections 457, 380, 34 of the I.P.C.
3. Case of the prosecution, in brief, is that, complainant Bhupeshwar Sahu has lodged the report that some unknown person has stolen his motor cycle which was parked in his house. Later on, the motor cycle was seized during investigation from the present applicants.
4. Learned counsel for the applicant submits that the applicants are innocent and have been falsely implicated. He would further submit that the applicants were arrested on 01.10.2021 as also the offence is triable by JMFC; therefore, they may be enlarged on bail.
5. *Per contra*, learned State counsel would oppose the prayer for grant of bail.
6. Considering the fact and circumstances of the case, as also the offence is triable by JMFC; period of detention and also for the fact that conclusion of trial may take some time, this Court is inclined to release the applicants on bail.

7. Accordingly, the application is allowed. It is directed that in the event each of applicants' executing a personal bond for a sum of Rs. 20,000/- with two sureties for the like amount to the satisfaction of the trial Court, they shall be released on bail on the following conditions:-

- (a) they shall not directly or indirectly make any inducement, threat or promise to any persons acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court.
- (b) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (c) they shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (d) the applicants and the sureties shall submit a copy of their adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which shall be verified by the trial Court.
- (e) they shall not involve themselves in any offence of similar nature in future.

SD/-
(Deepak Kumar Tiwari)
Judge

Ayushi