

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8970 of 2021**

1. Jaspal Singh, S/o Charan Singh, aged about 21 years, R/o Village Telgaav, District- Wardha (M.H.). Present address- Ward No. 4 – Gokul Nagar, Nagar Nigam Bilaspur, District Bilaspur (C.G.)
2. Shekhar Singh S/o Sher Singh, aged about 24 years, R/o Ghuru Ameri, P.S. - Sakri, District Bilaspur (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh, through Police Station – Sirgitti, District Bilaspur (C.G.)

---- State/Non-Applicant

For Applicants	:	Shri Shailesh Tiwari, Advocate
For Non-Applicant/State	:	Shri C.B. Kesharwani, Panel Lawyer

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****17.12.2021**

1. The applicants have preferred this first bail application under Section 439 of Cr.P.C. as they are in jail since 12.10.2021 in connection with Crime No. 546/2021 registered in Police Station Sirgitti, Bilaspur, District Bilaspur (C.G.), for the offence punishable under Sections 380 & 457 of IPC.
2. Prosecution case in brief is that complainant Sudha Jacob lodged a report on 05.10.2021 at the concerned police station alleging that some unknown person has committed theft of gold & silver ornaments amounting to Rs.20,000/- from her house and also gold & silver ornaments amounting to Rs.45,000/- from her neighbour's house namely Himanshu Joshi. During investigation, the stolen articles were seized from the present applicants and they were arrested by the police.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the crime in question. He further submits that the applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding, they are

in jail since 12.10.2021 and trial is likely to take some time for its final disposal. Therefore, the applicants be released on bail by this Court.

4. On the other hand, learned counsel for the Non-Applicant/State opposes the bail application and submits that the applicants have no criminal antecedents.
5. I have heard learned counsel for the parties.
6. Having regard to the facts and circumstances of the case, considering the detention period of the applicants who are 21 & 24 years old, the fact that the applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding as admitted by both the counsels and conclusion of trial may take some time, without commenting anything on merits of the case, the bail application is allowed.
7. It is directed that in the event of each of the applicants executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned Trial Court, they shall be released on bail, on following conditions :-
 - i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such fact to the Court.
 - ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
 - iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
 - iv. they shall not involve themselves in any offence of similar nature in future.
8. Let a copy of this order be forwarded to the concerned Police Station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar nature of offence.

Sd/-
(Gautam Chourdiya)
Judge