

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9114 of 2021**

1. Manish Dhritlahare S/o. Sukhchand Aged About 26 Years
2. Rajesh Markandey S/o Sukhchand Aged About 35 Years

Both R/o. Maharajpur P.S. Kawardha District Kabirdham
(Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Kavardha,
District Kabirdham (Chhattisgarh)

---- Respondent

For Applicant :- Mr. Ajay Ayachi, Advocate
For Respondent-State :- Mr. B.P. Banjare, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board

17/12/2021

1. The applicants have preferred this bail application under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.844/2021 registered in Police Station Kawardha for the offence punishable under Sections 457, 380/34 of the I.P.C.
2. Case of the prosecution, in brief, is that complainant made the complaint that on 29.10.2021, he closed his shop and on 31.10.2021 when he opened it he found that soyabean nearly of about

Rs.1,50,000/- was stolen from his shop. On the basis of which investigation was carried out in which it was revealed that present applicants have stolen the soyabean and kept it in a planned manner.

3. Learned counsel for the applicants would submit that applicants are innocent persons and have been falsely implicated. They have no previous criminal antecedent of similar nature of crime and are in jail since 03.11.2021 as also conclusion of trial may take some time, therefore, they may be enlarged on bail.
4. *Per contra*, learned State counsel would oppose the prayer for grant of bail.
5. Considering the facts and circumstances of the case as also period of detention; offence is triable by JMFC and there is no previous criminal antecedent, this Court is inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond for a sum of Rs.10,000/- with **two sureties** for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Certified copy as per rules.

SD/-

(Deepak Kumar Tiwari)
Judge

Ayushi