

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 9722 of 2021

1. Aakash Verma S/o Rakesh Verma Aged About 25 Years R/o Village Mohndi, Thana Dharsiva, District Raipur Chhattisgarh.
2. Nileshwar @ Sonu Verma S/o Surendra Verma Aged About 35 Years R/o Village Tada, Thana Dharsiva, District Raipur Chhattisgarh.

---- Applicants

Versus

- The State Of Chhattisgarh Through Police Station Bhatapara City, District Baloda Bazar Bhatapara Chhattisgarh.

---- Respondent

MCRC No. 9913 of 2021

- Jayant Mandal S/o Kannu Mandal Aged About 42 Years R/o Shaktipura, Urkura, Birgaon, Alka Vihar Colony, House No. 39 Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Bhatapara (City), District- Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

MCRC No. 10014 of 2021

- Yogendra @ Golu Sahu S/o Sunher Sahu Aged About 25 Years R/o Hatnipara Bhatapara Thana- Bhatapara (City), District- Baloda Bazar-Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station House Officer- Thana- Bhatapara (City), District- Baloda Bazar-Bhatapara, Chhattisgarh.

---- Respondent

MCRC No. 10026 of 2021

- Vineet Sahay @ Sunni S/o Vidya Bhushan Sahay Aged About 45 Years R/o Saktipura, Urkura, Birgaon, Alka Vihar Colony, H. No. 40, Raipur District Raipur Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through The Police Station Thana Bhatapara (City) District Baloda Bazar-Bhatapara Chhattisgarh

---- Respondent

For Applicants	:-	Mr. Samir Singh, Mr. C.R. Sahu & Mr. Deepak Kumar Jain, Advocate
For Respondent-State	:-	Mr. Wasim Miyan, PL

Hon'ble Shri Justice Deepak Kumar Tiwari
Order On Board

21/12/2021

1. Since all the bail applications are arising out same crime number, they are being heard and decided by this common order.
2. The applicants have preferred these first bail applications under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.508/2021

registered in Police Station Bhatapara City, Dist. Balod Bazar Bhatapara C.G. for the offence punishable under Sections 379, 411/34 of the I.P.C.

3. Case of the prosecution, in brief, is that on 21.10.2021, the complainant CMO has lodged the report that some persons have theft 35 pieces of water pipe amounting Rs.2,10,000/-. On the memorandum statement of co-accused namely; Yogendra, the Police has arrested the applicants for the alleged offence.
4. Learned counsel for the applicants submits that the present applicant is an innocent person and has been falsely implicated. He would further submit that applicants are young boys; conclusion of trial may take sometime and the offence is triable by JMFC, therefore, the applicants may be enlarged on bail.
5. *Per contra*, learned State counsel would oppose the prayer for grant of bail. However, he would submit that there is no material available in the case diary indicating the previous criminal antecedent of the applicants.
6. Considering the facts and circumstances of the case particularly considering the fact that applicants are in jail since 27.11.2021; offence is triable by JMFC, this Court is inclined to release the applicants on bail.
7. Accordingly, the applications are 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 one surety 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