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(2018) 07 CHH CK 0139

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 4341 Of 2018

Ajay Jain And Ors — APPELLANT

Vs

State Of Chhattisgarh And Ors — RESPONDENT

Date of Decision: July 2, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 380, 411, 457
- Code Of Criminal Procedure, 1973 - Section 439

Hon'ble Judges: Goutam Bhaduri, J

Bench: Single Bench

Advocate: Jitendra Gupta, S.K. Mishra

Final Decision: Allowed

Judgement

Goutam Bhaduri, J

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been

arrested on 24.08.2017 & 27.07.2017 in connection with Crime No.364/2017 registered at Police Station Jamul, District Durg (CG) for the offence

punishable under Sections 457, 380, 411/34 IPC.

2. As per the prosecution case, a report was lodged that the present applicants have stolen 7 bags of Sugar, 22 Bags of rice, staff register and

complaint book total price of Rs.7,50,000/- from the fair price shop of Nav Jagriti Mahila Swa Sahayata Samooh of Village Nardha. Thereby the

offence has been committed.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated as there has been some previous enmity in between the

complainant and the applicants. He further submits that the charge-sheet in this case has been filed and no further investigation is necessary,

therefore, the applicants may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.

5. Perused the documents. Considering the fact that the charge-sheet in this case has been filed and the applicants are in jail since 24.08.2017 &

27.07.2017, I am 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 in sum of

Rs.25,000/- with one surety in the like sum 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.