

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3938 of 2015**

Sampatlal son of Mahangu Sahu, aged about 37 years, resident of Village-Chisda, Police Station-Hassaud, District Janjgir-Champa (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Police Station-Hassaud, District Janjgir-Champa (CG)

---Non-applicant

And**M.Cr.C.No.4253 of 2015**

1. Smt.Pooja W/o. Setram Sahu, aged about 30 years,
2. Ku.Setbai daughter of Kriparam Sahu, aged about 27 years,
3. Ku.Vidya daughter of Jhadiram Sahu, aged about 25 years,

All are resident of village Chisda, Police Station Hasaud, Tahsil Jaijaipur, District Janjgir Champa (CG)

---Applicants

Versus

State of Chhattisgarh, Through: District Magistrate, P.S.Hasaud, District Janjgir-Champa (CG)

---Non-applicant

For Applicant	:	Mr. Basant Dewangan, Advocate in M.Cr.C.No.3938 of 2015
For Applicants	:	Mr.Kamal Kishor Patel, Advocate in M.Cr.C.No.4253 of 2015
For Non-applicant	:	Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****13/08/2015**

1. Since the aforesaid two bail applications have been filed against the same crime number i.e. Crime No.18/2015, they are being disposed of by

this common order.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.18/2015, registered at Police Station-Hasaud, District-Janjgir-Champa (CG), for the offence punishable under Sections 147, 148, 149, 332, 353, 324, 186 & 427 of the IPC, Sections 135 & 136 of the Representation of Peoples Act, 1951 and Section 3 of the Property Damages Act.

3. Their first bail applications were rejected vide order dated 7.4.2015.

4. Learned counsel appearing for the applicants would submit that first bail applications of the applicants were rejected vide order dated 7.4.2015 and thereafter till this date no charges have been framed by the trial Court and therefore, no examination would take place and the applicants are languishing in jail since 29.1.2015. They would further submit that applicants No.2 and 3 of M.Cr.C.No.4253 are unmarried women aged about 27 and 25 years and the applicant of M.Cr.C.No.3938 of 2015 is young man of 37 years age, there is no chance of conclusion of early trial and co-accused of Crime No.17/2015 have been released on bail.

5. On the other hand, learned counsel for the State would oppose the bail applications.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; considering

the fact that till this date trial has not been commenced, the applicants are languishing in jail since 29.1.2015 and also considering the fact that trial will take time, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, second bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that applicants **Sampatlal, Smt.Pooja, Ku.Setbai and Ku.Vidya** shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

10. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-