

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5551 of 2015

1. Bharat Lal Yadav S/o Shyamlal Yadav Aged About 27 Years
2. Ram Singh Sidar S/o Late Sudarshan Sidar Aged About 23 Years
3. Ganesh Das Mahant S/o Shankar Das Mahant, Aged About 28 Years
4. Ram Singh Sidar S/o Late Ranjeet Sidar Aged About 22 Years

All R/o. Village - Jetha, Post - Lavsara, Police Station - Baradwar,
Tahsil - Sakti, Civil & Revenue District Janjgir Champa
Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through Officer-In-Charge, Police Station -
Baradwar, Civil & Revenue District - Janjgir Champa Chhattisgarh

---- Respondent

For Applicants	:-	Mr. Ramesh Kumar Nayak, Advocate
For Respondent/State	:-	Mr. U.K.S. Chandel, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/12/2015

1. This is the first bail application 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. 265/2015, registered at Police Station – Baradwar, District- Janjgir Champa (C.G.) for the offence punishable under Sections 392, 34 of IPC.
2. As per prosecution case, on 05.09.2015 at 9.30 P.M. the applicants along with intercepted the complainant thereafter, voter ID, ATM card, motorcycle were looted from the complainant and subsequently the goods were seized from the possession of the applicants. Therefore, the offence was committed.

3. Counsel for the applicants submit that the applicants are innocent and they have been falsely implicated in this case. He further submit that the complainant was a contractor and the applicants are the labourer and they have worked under the complainant because of non payment of labour charges the dispute has arisen and he relied on the documents which is Annexure A/1 to A/4 and therefore, prays the applicants may be enlarged on bail.
4. Per contra State counsel opposes the prayer for grant of bail.
5. Perusal of the case diary and the attendance register and the complaints was made before Labour Officer Jangir and further taking into the fact that the applicants are in jail since 07.09.2015. Considering the facts and circumstances of the case taking the gravity of offence committed by this applicants, this Court is of the opinion, that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge