

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7001 of 2015

1. Prakash Kumar Yadav S/o Aditya Narayan Yadav Aged About 19 Years R/ Village Chandan Nagar, Police Station & Tahsil Premnagar, Civil & Revenue District Surajpur, District Surajpur Chhattisgarh
 2. Khelsingh S/o Ramnath Aged About 21 Years R/o Village Salka, Police Station & Tahsil Premnagar, Civil & Revenue District Surajpur, District Surajpur Chhattisgarh
- **Petitioners**

Versus

- State of Chhattisgarh through Station House Officer, Police of Police Station Premnagar, District Surajpur Chhattisgarh --- **Respondent**

For the applicants	:	Mr. Anil Gulati, Advocate.
For the Respondent	:	Mr. Ramakant Mishra, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

16.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicants in connection with Crime No. 120 of 2015, registered at P.S. Premnagar, District Surajpur (C.G) for the offences punishable under sections 420 read with Section 34 IPC.
2. As per the prosecution case, the applicant along-with co-accused have taken Rs.12/- each from 100 villagers for verification of the ration cards and thereafter put seal over such ration cards and obtained Rs.1200/- from them thereby cheated villagers.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case and considering the nature of offence, it demolishes the case of prosecution as the applicants could not have indulged in cheating for small amounts. He further submits that similarly placed co-accused has been enlarged on bail by this Court in MCRC No.6306 of 2015 vide order dated 30.11.2015 and since the applicant is in jail since 11.10.2015, looking to the pretrial

detention, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail. However, he do not dispute that similarly placed co-accused has been enlarged on bail by this Court.
5. Having regard to the nature of allegations made against the applicants as also the fact that similarly placed co-accused has been enlarged on bail by this Court and further looking to the detention period of the applicants as they are stated to be in jail since 11.10.2015, I am inclined to release them on bail.
6. Accordingly, this bail petition is allowed and the applicants are directed to be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court. They shall also appear before the trial Court as and when directed by the said Court.
7. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE