

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.4413 of 2015

Mukesh Singh, S/o Shri Ramnath Singh, aged about 28 years, R/o 27 Kholi,
Near Shiv Mandir, Bilaspur, Police Station Civil Line, Tahsil & District Bilaspur
(C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Sirgitti,
District Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Mr. Y.C. Sharma, Advocate.
For Non-applicant:	Mr. Vivek Singhal, Panel Lawyer.

ANDMisc. Criminal Case No.4608 of 2015

Rajendra Shrivastava, S/o Bhagwat Shrivastava, aged about 40 years, R/o Village
Nagpura, Main Road, Police Station Sirgitti, Tahsil and Civil and Revenue
District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Sirgitti,
District Bilaspur (C.G.)

---- Non-applicant

For Applicant:	Mr. Dharmesh Shrivastava, Advocate.
For Non-applicant:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

08/09/2015

1. Since both the applications are arising out of the same crime number, they are being disposed of by this common order.
2. The accused/applicants have moved these bail applications under Section 439 of the Code of Criminal Procedure, 1973 for releasing them on regular bail during trial in connection with Crime No.59/2015, registered at Police

Station Sirgitti, Distt. Bilaspur, for the offence punishable under Sections 452, 294, 354, 506 & 147 of the IPC; and 3 & 4 of the Karza Act.

3. Case of the prosecution, in brief, is that on 2-1-2015, the applicants and three other co-accused persons entered into the house of Malikram Verma in order to recover the amount borrowed by him and outraged the modesty of his wife complainant Smt. Ratna Verma and abused her, and thereby committed the offence.
4. Learned counsel for the applicants submit that the applicants have not committed any offence and they have been falsely implicated in the case. They further submit that husband of the complainant has taken loan from Vikram Singh and is not repaying the same and in order to wriggle out the said loan amount, such a false case has been lodged in which applicant Mukesh Singh is in jail since 29-7-2015 and applicant Rajendra Shrivastava is in jail since 19-7-2015. Charge-sheet is yet to be filed.
5. On the other hand, learned State counsel opposes the bail applications.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicants, defence of the applicants and their pre-trial detention, I am of the opinion that the applicants deserve to be released on regular bail. Accordingly, the applications are allowed.
8. It is, therefore, directed that the applicants 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 Court for their appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge