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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4040 of 2015**

1. Rajeev Ranjan Gupta, S/o Brij Kishore Gupta, Aged About 35 Years, R/o Hathkeshwar Ward, Dhamtari, Post Office & Police Station- Dhamtari, Tahsil & District- Dhamtari (CG)
2. Amar Soni, S/o Kishore Soni Aged About 22 Years, R/o Baniyapara, Durga Chowk, Dhamtari, Post Office & Police Station- Dhamtari, Tahsil & District- Dhamtari (CG)
3. Shubham Keshwani S/o Harish Keshwani, Aged About 19 Years, R/o Bhagabada, Shiv Chowk, Dhamtari, Post Office & Police Station- Dhamtari, Tahsil & District- Dhamtari, (CG) hattisgarh

---Applicants

Versus

State of Chhattisgarh through the Station House Officer, Police Station – City Kotwali, Dhamtari, District – Dhamtari (CG)

---Non-applicant

M.Cr.C.No.4042 of 2015

Pawan Wadhwani Son of Prakash Wadhwani, aged about 25 years, resident of Near Mangal Bhawan, Aamapara Dhamtari, P.S. City Kotwali, Civil and Revenue District Dhamtari (CG)

---Applicant

Versus

State of Chhattisgarh, Police Station City Kotwali, District Dhamtari (CG)

---Non-applicant

M.Cr.C.No.4069 of 2015

Rahul Bhaktani, son of Nebhan Das Bhaktani (wrongly mentioned as Neman Das Bhaktani in rejection order), aged about 25 years, resident of opposite to Tiwaribada, P.S. City Kotwali, Tahsil Dhamtari, Civil and Revenue District Dhamtari (CG)

---Applicant

Versus

State of Chhattisgarh, Police Station City Kotwali, District Dhamtari (CG)

---Non-applicant

M.Cr.C.No.4340 of 2015

1. Rakesh Rao @ Monu Rao, S/o Late Ramarao, aged about 30 years, R/o – Risaipara, Dhamtari, Post Office & Police Station-Dhamtari, Tahsil & District-Dhamtari (CG)
2. Tarendra Singh Thakur, S/o Late Ravishankar, aged about 30 years, R/o- Infront Bhagwati Marriage Ground, Risaipara, Dhamtari, Post Office & Police Station-Dhamtari, Tahsil & District-Dhamtari (CG)
3. Sumit Patel, S/o Late Yashwant Patel, aged about 25 years, R/o- Baniyapara, Dhamtari, Post Office & Police Station-Dhamtari, Tahsil & District-Dhamtari (CG)

---Applicants**Versus**

State of Chhattisgarh through the Station House Officer, Police Station – City Kotwali, Dhamtari, District – Dhamtari (CG)

---Non-applicant

For Applicants	:	Mr. Shivendu Pandya, Advocate in M.Cr.C.Nos.4040 and 4340 of 2015
For Applicants	:	Mr.Sunil Otwani, Advocate in M.Cr.C.Nos.4042 and 4069 of 2015
For Non-applicant	:	Mr.Qamrul Aziz, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****26/08/2015**

1. Since the aforesaid four bail applications are arising out of the same crime number, 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.193/2015, registered at Police Station-City Kotwali, Dhamtari, Distt.Dhamtari (CG), for the offence punishable under Sections 186, 332, 353, 147, 427 & 294 of the IPC and Sections 3 & 5 of the Prevention of Damage to Public Property Act, 1984.
3. Case of the prosecution, in brief, is that on 8.7.2015 the present

applicants along with other co-accused persons deterred the public servants from performing their duties and used criminal force by which Station House Officer Rajkumar Sori suffered injuries and also caused damage to the public property and thereby committed the aforesaid offence.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. They would further submit that no recovery has been made from the present applicants, the applicants are in jail since 10.7.2015, charge-sheet has already been filed and no useful purpose would be served by detaining them in jail. They would also submit that the applicants are ready and willing to furnish bail bonds and will abide by the terms and conditions imposed upon them and will not disturb the peace and tranquility of the area. They would submit that charges have been framed and they are residents of Dhamtari, Distt.Dhamtari, therefore, they may be released on regular bail.

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

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; role of the present applicants; the fact that charges have been framed after filing of the charge-sheet and pre-trial detention of the applicants, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

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

9. It is directed that applicants **Rajeev Ranjan Gupta, Amar Soni, Shubham Keshwani, Pawan Wadhwani, Rahul Bhaktani, Rakesh Rao @ Monu Rao, Tarendra Singh Thakur and Sumit Patel** 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/-