

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5972 of 2015

Kamal Singh S/o Budhwar Singh Aged About 32 Years R/o
Bendarkona, Thana - Balko, Revenue / Civil Distt. Korba
(Chhattisgarh)

---- Applicant

Versus

State Of Chhattisgarh Through - Thana Bhupdevpur, Distt. Raigarh
Chhattisgarh

---- Respondent

And

MCRC No. 6254 of 2015

Deepak Agrawal S/o Premchand Agrawal Aged About 40 Years R/o
Baikunthpur, Kotraroad, P.S. Kotwali, Tah. & Distt. Raigarh,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through S.H.O. P.S. Bhupdevpur, Distt.
Raigarh, Chhattisgarh.

---- Respondent

For applicants – Shri Samir Singh and Shri Avinash K. Mishra, Advocate.
For Respondent/State – Shri Om. P. Sahu, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/11/2015

1. Both these bail applications are decided by this common order as they are arising out of the same crime number.
2. The applicants have preferred these applications for grant of bail as they are arrested in connection with Crime No. 173/2015 registered in Police Station Bhupdevpur, District Raigarh (Chhattisgarh) for offence punishable under Section 407, 379, 411/34 of IPC and 4, 21 of Mining Act.
3. As per the prosecution case on a secret information being received police authorities has seized trailer bearing No. C.G. 04 JB/6702 and the

report was lodged by the police and the offence has been registered.

4. Learned counsel for the applicant in M.Cr.C. No.6254/2015 submits that applicant is a licensee which is granted by the collector and he is to hold the depot for the coal and nothing has been seized from the applicant and likewise learned counsel for the applicant in M.Cr.C. No.5972/2015 submits that he is only driver of the vehicle and therefore involvement of the applicant cannot be stated to be in the crime. It is further submitted by both the learned counsels that taking into nature of the allegation and the detention of the applicants, applicants may be enlarged on bail

5. Learned State counsel opposes the prayer for grant of bail.

6. Having regard to the fact that matter is still being investigated and considering the nature of allegation made and the way the offence has been committed, this court is not inclined to release the applicants on bail.

7. Accordingly, both the bail applications are dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE