

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6019 of 2015

1. Bhupendra Patel S/o Babulal Patel Aged About 35 Years Caste - Patel, R/o Village - Rajga, P.S. & Tahsil - Sakti, Civil & Revenue District Janjgir - Champa Chhattisgarh

2. Dushyant Kumar S/o Babulal Patel Aged About 40 Years Caste - Patel R/o Village - Rajga, P.S. & Tahsil Sakti, Civil & Revenue District Janjgir - Champa Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through - District Magistrate, District Janjgir Champa Chhattisgarh

---- Respondent

For applicant - Shri Abhishek Saraf, Advocate.
For Respondent/State – Miss. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

16/11/2015

1. The applicants have preferred this application for grant of bail as they are arrested in connection with Crime No. 296/2015 registered in Police Station Sakti, Distt. Janjgir-Champa (C.G.) for offence punishable under section 384, 342, 294, 506, 323/34 and Section 4 of Protection of Debtors Act (wrongly mention as Section 5).

2. As per the prosecution case complainant Dhanesh Kumar was detained for recovery of the loan given to the complainant by the applicant and he was forced to execute agreement of sale in favour of the accused. Thereafter, on the report of the complainant, case was registered.

3. Learned counsel for the applicant submits that case arises because of the fact that applicant has demanded money of loan, false and frivolous report has been made. Learned counsel submits that matter has been settled between the parties. He further submits that compromise agreement would be filed before the court below on 19/11/2015. He relies on copy of the agreement along with affidavit.

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

5. Having regard to the fact that charge sheet has been filed, considering the nature of allegation and taking into fact agreement which is placed on record, this court is inclined to release the applicants on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicants shall be released on each of them furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for their regular appearance before it as and when directed.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE