

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5416 of 2015

Sukhit Ram, S/o Sukhram, aged about 42 years, Caste Halba, R/o Chipra,
Police Station Doundilohara, District Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Doundi,
District Balod (C.G.)

---- Non-applicant

Misc. Criminal Case No.5436 of 2015

Waseem Khan, S/o Rasiq Khan, aged about 29 years, R/o Kusumkasa,
Police Station Rajhara, District Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Doundi,
District Balod (C.G.)

---- Non-applicant

ANDMisc. Criminal Case No.5486 of 2015

Ashraf Mirza, S/o Jahur Mirza, aged about 29 years, R/o Near Shiv Temple,
Kusumkarna, P.S. Dallirajhara, Tah. Daundi, Distt. Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through P.S. Daundi, Distt. Balod (C.G.)

---- Non-applicant

For Applicants in M.Cr.C.Nos.5416/2015 & 5436/2015:

Mr. B.P. Singh, Advocate.

For Applicant in M.Cr.C.No.5486/2015:

Mr. Arvind Dubey, Advocate.

For Non-applicant/State:

Mr. Neeraj Sharma, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/10/2015

1. Since the above three 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.66/2015 (Criminal Case No.450/2015 pending in the Court of Judicial Magistrate First Class, Dalli Rajhara), registered at Police Station Doundi, Distt. Balod, for the offence punishable under Sections 452 read with Section 34, 385 read with Section 34, 170 read with Section 34 and 109 of the IPC.

3. Case of the prosecution, in brief, is that the present applicants presenting themselves as officers of CBI entered into the house of complainant Nagendra Kumar on 23-7-2015 and demanded money by extortion.
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 the applicants are in jail for a fairly long time, as such, charge-sheet has been filed and no custodial interrogation of the applicants is required and, therefore, they be released on bail.
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 in the crime in question, severity of the punishment prescribed for the said offences, their pretrial detention and the fact that charge-sheet has been filed, 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