

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2069 of 2016

1. Dwijram Nirmalkar, S/o. Shri Sonsai Nirmalkar, Aged About 79 Years.
2. Suresh Kumar Nirmalkar, S/o. Shri Dwijram Nirmalkar, Aged About 32 Years.

R/o. Village Bhadaura, P.S. & Tahsil - Masturi, Civil & Revenue District
Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the District Magistrate, Bilaspur
Chhattisgarh

---- Respondent

For Applicants : Mr. Malay Kumar Bhaduri, Advocate.

For Respondent/State : Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

18/05/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.118/2013 registered at Police Station- Masturi, District Bilaspur (C.G.) for the offence punishable under Sections 420, 419, 467, 468, 471, 120-B, 201 of Indian Penal Code.
2. Learned counsel for the applicants would submit that the applicants are in detention since 03.09.2015 and they have been falsely implicated in this case, therefore, they may be enlarged on bail.
3. On the other hand, learned State counsel opposes the prayer for grant of bail.

4. In view of the rejection of bail of similarly placed co-accused persons in M.Cr.C. Nos. 1916/2013, 2652/2013, 2939/2013, 2940/2013, 2942/2013, 2943/2013, 2944/2013, 2945/2013, 2946/2013, 4913/2013, 181/2014 & 1827/2014, the applicants who are also alleged to be actively involved in commission of the offence are not entitled to be released on bail.
5. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed. However, the trial Court is directed to expedite the trial and make all possible endeavor to conclude the same at the earliest.

Sd/-
(Prashant Kumar Mishra)
Vacation Judge