

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 418 of 2016**

1. Smt. Asha Devdas, W/o Guneshwar Devdas, Aged about 19 years,
2. Smt. Neelam Devdas, W/o Kamal Kishore Devdas, Aged about 22 years.

Both R/o Village Baseen, Tahsil -Arjunda, P.S. - Arjunda,
District Balod (C.G.)

---- Applicants**Versus**

- State Of Chhattisgarh Through District Magistrate, District - Durg (C.G.)

---- Non-applicant**MCRC No. 456 of 2016**

1. TirathRam Devdas, S/o Late Jivrakhan, Aged about 52 years,
2. Kamal Kishore Devdas, S/o TirathRam Devdas, Aged about 28 years,
3. YuvRam Devdas, S/o TirathRam Devdas, Aged about 26 years

All R/o Village Baseen, Tahsil-Arjunda, P.S. -Arjunda,
District Balod (C.G.)

---- Applicants**Versus**

- State Of Chhattisgarh Through District Magistrate, District - Durg (C.G.)

---- Non-applicant

For Applicants: Mr. P.R. Patankar, Advocate.
For Non-applicant/State: Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

04/02/2016

Heard.

(1) Above mentioned two bail applications filed under Section 439 of the Cr.P.C. arise out of a common Crime No. 393/2015, registered at Police Station Utai, District Durg, for the offences punishable under Sections 363, 365, 323 & 342/34 of the Indian Penal Code , therefore, they are being heard analogously and decided by this Common Order.

(2) Case of the prosecution, in brief, is that applicant Tirathram Devdas along with other applicants kidnapped one Chitrasen Davdas on 13.11.2015 and wrongfully confined him secretly and thereby committed the offence to extract the money.

(3) Counsel for the applicants submits that applicants have been falsely implicated in the offence in question as they have not committed any offence. He further submits that applicants are in jail since 24.11.2015 & 14.11.2015, respectively; charge sheet has already been filed and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail applications.

(5) Taking into consideration the facts & circumstances of the case; further considering the role of the present applicants in the crime in question; and applicants are in jail since 24.11.2015 & 14.11.2015, respectively; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants – **Smt. Asha Devdas, Smt. Neelam Devdas, Tirath Ram Devdas, Kamal Kishore Devdas & Yuv Ram Devdas** are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-