

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7524 of 2015

Priyank S/o Govind Vallabh Bajpai Aged About 34 Years R/o Ward No. 08, Jagdalpur, Police Station - Jagdalpur, Civil And Rev. Distt. Bastar Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Amlipadar, District Gariyaband (Chhattisgarh).

---Respondent

And

MCRC No. 124 of 2016

1. Suresh Kumar S/o Shri Sukhchand Jali Aged About 34 Years R/o Village Tetel Para, P.S. Chandahandi, District Navrangpur, (Orissa)
2. Shyam Sundar S/o Motilal Manjhi Aged About 31 Years R/o Village Khadkhada, P.S. Chandahandi, District Navrangpur, (Orissa)

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Amlipadar, District Gariyaband Chhattisgarh

---- Respondent

For applicants - Shri Chandresh Shrivastava and Shri Jitendra Pali, Advocate.

For Respondent/State – Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/01/2016

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. 60/2015 registered in Police Station Amlipadar, District Gariyaband (C.G.) for offence punishable under section 379, 34 of Indian Penal Code read with section 4, 21 of the Mines and Minerals (Development and Regulations) Act.

3. As per the prosecution case on 17/10/2015 on the information received that illegal mining of the diamond was done at Gariyaband area wherein area was raided and subsequently applicants were apprehended with the diamond.

4. Learned counsel for the applicants submits that seizure has been made and charge sheet has been filed, no further custodial interrogation is required. It is further submitted that bail of the similarly placed co-accused has been allowed by this court vide M.Cr.C. No.6892/2015 on 15/12/2015, therefore the applicants may be released on bail.

5. Learned State counsel on verification do not dispute the fact that bail of the similarly placed co-accused has been allowed by this court vide M.Cr.C. No.6892/2015 on 15/12/2015.

6. I have perused the case diary. Considering the fact that charge sheet has been filed and seizure has been made and also for the fact that bail of the similarly placed co-accused has been allowed by this court vide M.Cr.C. No.6892/2015 on 15/12/2015 and applicants are in jail since 17/10/2015, this court is inclined to release the applicants on bail.

7. Accordingly, the bail applications are 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