

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.2066 of 2016

Sagaf Jafar S/o Amim Akhtar @ Amin, aged about 22 years, R/o Balumath, Ward No.10, Police Station Balumath, District Latehar (Jharkhand)

---Applicant

Versus

State of Chhattisgarh, through : Station House Officer, Police Station Malkharoda, District Janjgir-Champa (CG)

---Non-applicant

And

M.Cr.C.No.2160 of 2016

Saiyyad Ansari @ Shahid Aalam, Aged about 28 years, S/o Balak Ansari, R/o New Azad Colony, Ward No.3, Lohardaga, P.S. & Dist Lohardaga (Jharkhand)

---Applicant

Versus

State of Chhattisgarh, through P.S. Malkharouda, Dist-Janjgir-Champa (CG)

---Non-applicant

For Applicant	:	Mr.Awadh Tripathi, Advocate in
		M.Cr.C.No.2066 of 2016
For Applicant	:	Mr.H.V.Sharma, Advocate in
		M.Cr.C.No.2160 of 2016
For Non-applicant	:	Mr. O.P.Sahu, G.A.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

18/04/2016

1. Since the aforesaid two bail applications are arising out of the same crime number, they are being disposed of by this common order.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.51/2016,

registered at Police Station-Malkharoda, District-Janjgir-Champa (CG), for the offence punishable under Sections 420, 409/34 & 511 of the IPC and Section 5 (A), (B) & (C) of the Prevention of Price Cheat and Money Circulation Scheme, 1978.

3. Case of the prosecution, in brief, is that the applicants obtained ₹480/- from the complainant and promised to deliver him washing machine and motor-cycle etc. upon draw of lottery and thereby committed the offence.

4. Learned counsel for the applicants would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. No promise has been made. Charge-sheet has been made and no further interrogation is required.

5. On the other hand, learned counsel for the State would oppose the bail applications.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicants, their pre-trial detention and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that the applicants shall 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 trial Court, for their appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-