

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4409 of 2016

Ravikant Mahavadi, Aged About 39 Years, S/o Manohar Rao
Mahavadi, R/o Village - House No. 195 Contractor Colony Supela,
Police Station - Supela, District - Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through - The Station House Officer, Police
Station Dhamdha Distt. - Durg Chhattisgarh

----Respondent

And

MCRC No. 4429 of 2016

Shivnandan Thakur @ Baba S/o Shri Byasnarayan Thakur, Aged
About 35 Years, R/o Village Tathiya, Police Station Dhamdha,
District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Of
Police Station - Dhamdha, District - Durg Chhattisgarh

---- Respondent

For applicants - Shri B.P. Singh and Shri Pawan Kesharwani, Advocate.
For Respondent/State – Shri Vivek Singhal, PL

Hon'ble Shri Justice Goutam Bhaduri

Order

11/08/2016

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.175/2016 registered in Police Station Dhamdha, District-Durg (C.G.) for offence punishable under sections 363, 367, 370, 34 of Indian Penal Code.
3. As per the prosecution case, a report was made by Jitendra father of Suraj that in order to get employment they alongwith one Baba @ Shivnandan Thakur went to Raipur. Subsequently, they went to Kolhapur

and Baba in lieu thereof received Rs.20,000/- and left the boys for the job there.

4. Learned counsel for the applicants submits that it is a case of consent as which would be evident from the FIR which is lodged by Jitenda Satnami as it was very well known that with the consent of father and mother, Deepak and Suraj went for the job. It is further submitted that from the statement under Section 164 of Cr.P.C. it would reveal that the boys themselves went alongwith said Baba, therefore the applicants may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Perused the FIR as also statement. After perusal of the statement of Deepak who went alongwith Suraj and the FIR, also considering the facts and circumstances of the case, 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 each 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