

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4196 of 2016

1. Ramnarayan, S/o. Mangtaram Satnami, Aged About 39 Years, R/o. Village Nevsa, At Post - Hardibajar, Distt. Korba, Chhattisgarh.
2. Dinesh Kumar Kanwar, S/o. Bandhan Singh Kanwar, Aged About 34 Years, R/o. Village Bata, Police Station Kusmunda, Distt. Korba, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through at Post Hardibajar, Distt. Korba, Chhattisgarh.

---- Respondent

For Applicants : Mr. Lalit Jangde, Advocate

For Respondent : Ms. Shobha Kashyap, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

30.08.2016

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.90/2016 registered at Police Station- At Post Hardibajar, Distt. Korba (C.G.) for the offence punishable under Section 420, 34 of Indian Penal Code.
2. As per the prosecution case, a report was made by one Hemant Kumar that on 21.06.2015 one Santosh Kumar Chandarkar alongwith his two other friends came to his house as he is in need of money to pay the fees of Engineering of his brother and, as such, he gave two ornaments and received Rs.45,000/- and issued a receipt of Rs.32,400/- by way of security. Subsequently, the said Santosh Kumar Chandrakar and others did not turned up and when the ornaments got checked, it was found that the ornaments are fake.

3. Learned counsel for the applicants would submit that initially a report was made about two ornaments but the recovery of seven ornaments have been made and the applicants have been falsely implicated. It is further submitted that the main allegations are attributed to Santosh Kumar Chandrakar and the applicant Ramnarayan has not been named in the investigation, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the documents, it appears that the main allegations have been attributed to one Santosh Kumar Chandrakar and the allegations are the applicants aided for committing the offence. Considering the same and the role played by the applicants, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge