

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6319 of 2016

1. Umashankar S/o Sonsay Soni Aged About 30 Years Caste - Satnami, R/o Sonadula, Police Station Akaltara, District Janjgir - Champa Chhattisgarh
2. Tameshwar S/o Jagjiwan Tonde Aged About 30 Years Satnami, R/o Sonadula, Police Station Akaltara, District - Janjgir Champa Chhattisgarh --- **Applicants**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station Kukdur, District - Kabirdham Chhattisgarh --- **Respondent**

MCRC No. 6320 of 2016

1. Umashankar Soni S/o Sonsay Soni Aged About 38 Years Caste- Satnami, R/o Sonadula, Police Station Akaltara, District- Janjgir Champa, Chhattisgarh.
2. Tameshwar Tonde S/o Jagjiwan Tonde Aged About 30 Years R/o Sonadula, Police Station Akaltara, District Jangir- Champa, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station Kukdur, District- Kabirdham, Chhattisgarh --- **Respondent**

For the applicants	:	Mr. C. K. Kesarwani, Advocate
For the Respondent	:	Mr. Anupam Dubey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.10.2016

1. The applicants have filed these applications under Section 439 of the Code of Criminal Procedure seeking grant of regular bail for the offence punishable under Sections 420, 467, 468, 471, 34 of IPC.
2. M.Cr.C.No.6319/2016 is relating to Crime No.49/2016 and

M.Cr.C.No.6320/2016 is relating to Crime No.02/2016. Since the applicants are involved in similar offences in both the above crime numbers registered at Police Station Kukdur, Distt. Kabirdham (C.G), they are being decided by this common order.

3. As per the prosecution case, the applicants themselves pretended to be the agents of Jan Dhan Bima Yojna and allured different persons namely Pankin Bai, Bhadlibai, and collected Rs.3000/- from them. Likewise Rs.500/-, Rs. 2000/- and Rs.2500/- were collected from Heerando Bai, Jethia Bai and Phool Bai on the pretext that they will be able to get their house constructed. Subsequently the said scheme was found fake and they were taken into custody on complaints being filed against them.
4. Learned counsel for the applicants would submit that the applicants have been falsely implicated only on oral statements made against them and in fact they have not committed any offence. He further submits that the charge sheet has been filed; no further investigation is necessary and the applicants are in jail since 06.06.2016, therefore, they may be enlarged on bail.
5. Per contra, learned State Counsel opposes the bail.
6. Perused the case diary.
7. Considering the totality of the facts and circumstances of the case especially the fact that the charge sheet has been filed; offences are triable by the JMFC and the applicants are in jail since 06.06.2016, I am inclined to release them on bail.
8. Accordingly, the bail applications are allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with

one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**

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