

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6904 of 2016

- 1. Paushik Ram Sahu S/o Late Shri Lalu Ram Sahu Aged About 56 Years R/o Quarter No. B-150, Adarsh Nagar, Kusmunda, Tehsil Katghora, District Korba, Chhattisgarh.
 - 2. Prem Shankar Sahu S/o Late Shri Lalu Ram Sahu Aged About 61 Years R/o Quarter No. L.I.G.- 130, Maharana Pratap Nagar, Korba, District Korba, Chhattisgarh.
- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Korba, Chhattisgarh.

---- Respondent

MCRC No. 7017 of 2016

- 1. Siyaram Patel S/o Shri Shyam Lal Patel, Aged About 28 Years R/o Kashinagar, Behind Ravi Dairy, Korba, Tehsil Korba District Korba Chhattisgarh
 - 2. Bhagwat Prasad Rathore, S/o Late Shri Kaushal Prasad, Aged About 50 Years R/o Village Risdi (Khataal Of Murit Ram), Korba, District Korba Chhattisgarh
 - 3. Deva Singh Aayam, S/o Bodhan Singh, Aged About 36 Years R/o Village Risdi (Khataal Of Murit Ram), Korba, District Korba Chhattisgarh
- Applicants

Versus

- State of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Korba Chhattisgarh
- Respondent

MCRC No. 7027 of 2016

- Murit Ram Sahu S/o Late Shri Chamru Sahu Aged About 64 Years R/o M.I.G. 15, C1-C2, Behind Niharika Talkies, Kosabadi, Korba, Tehsil Korba, District Korba, Chhattisgarh.
- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Korba, Chhattisgarh.
- Respondent

For the applicants	:	Mr. Ranbir Singh Marhas, Advocate
For the Respondent	:	Mr. Neeraj Jain, Govt. Lawyer.
For the objector	:	Mr. Gurudeo Sharan, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.11.2016

1. These are first bail applications filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicants in connection with Crime No. 162/2016 (wrongly mentioned as Crime No.162/2015 in the impugned Order) registered at P.S. City Kotwali, Korba (C.G) for the offence punishable under Sections 420, 467, 468 & 471 read with Section 120-B of IPC.
2. Since all these bail applications are relating to the same crime number, they are being decided by this common order.
3. As per the prosecution case, a complaint was made by Mamta Sahu that her husband Shashikant died in a road accident on 07.06.2011. It is alleged that when the claim case was filed by Mamta Sahu, accused Murit Ram Sahu filed an application in that case that Mamta Sahu is dead and got her name deleted from the array of the claimants and other accused Siyaram Patel, Bhagat Prasad, Dev Singh, Prem Shankar, Paushik Ram Sahu had signed the Panchnama of death and on that basis the death certificate was issued. Subsequently, Mamta Sahu appeared in person in Claim Case and thereafter a report was made and complaint case was filed.
4. Learned counsel for the applicants would submit that the applicants have been falsely implicated; charge sheet in this case has been filed and no further investigation/evidence is required and the offences are triable by the JMFC. It is further submitted that applicant Murit Ram Sahu is aged about 64 years and other applicants have not committed any offence,

therefore, the applicants may be enlarged on bail.

5. Per contra, learned State Counsel as also learned counsel for the objector appearing in M.Cr.C.No.7027/2016 opposes the bail.
6. Perused the case diary and other documents.
7. Considering the overall facts and circumstances of the case more particularly the fact that all the evidence available in this case is documentary in nature; the charge sheet in this case has been and no further investigation is necessary and looking to the pretrial detention of the applicants, I am inclined to release the applicants 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 till disposal of the trial.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**