

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7071 of 2016

1. Tikam Sinha S/o Nanhe Sinha Aged About 24 Years R/o Village Bilhari, District Rajnandgaon, Chhattisgarh.
2. Dhanraj Bandhe S/o Sanat Ram Bandhe Aged About 23 Years R/o Village Birejhar, Police Chowki Anjora, Police Station Pulgaon, District Durg, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through The District Magistrate, Durg, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17-11-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 16-8-2016 in connection with Crime No. 760 of 2016, registered at Police Station Supela, District Durg (CG) for the offence punishable under Sections 171, 420, 466, 471/34 of the IPC.
2. Case of the prosecution, in brief, is that on 15-8-2016 a report was made by the complainant that while he was discharging his duties in Police Station, Supela, the applicants came there to join in the uniform of Traffic Police along with appointment letters. On enquiry being made, they could not give satisfactory answer and it was stated that they have been sent by Shailendra Kumar Banjare, Assistant Sub-Inspector to join the duty. Subsequently it was revealed that the said appointment letters were found to be forged and Shailendra Banjare and others have taken money to issue such fake appointment order.

3. Learned counsel appearing for the applicants would submit that the applicants have been falsely implicated in the case, the applicants who are victims had paid money to Shailednra Banjare and the applicants have not committed any offence. He would further submit that charge-sheet has been filed in this case, the applicants are in jail since 16-8-2016 and no further investigation is required, therefore, they may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents which would show that the applicants went to Police Station to join in the uniform of Traffic Police along with appointment letters stating that they have been sent by Shailendra Banjare, Assistant Sub Inspector to join the duty.
6. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicants and further considering the role played by the applicants and also the fact that charge-sheet in this case has been filed and the applicants are in jail since 16-8-2016, this court is inclined to release the applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

