

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4092 of 2017

Sondas Barman S/o Suklal Barman Aged About 35 Years R/o Village-
Jurilakhurd, Police Station- Kotwali, Civil & Revenue District Rajnandgaon,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Station House Officer, Police Station-
Kotwali, Civil & Revenue District- Rajnandgaon, Chhattisgarh, Police Station
Wrongly Mentioned Rajnandgaon

---- Respondent

And

MCRC No. 4670 Of 2017

Radhika Bai Gaukar @ Munnibai Gaukar W/o Late Paklu Ram Aged About
52 Years R/o Sonesarar Ward No.14 Thana/tahsil Khairagarh District
Rajnandgaon Chhattisgarh

---- Applicant

Vs

State Of Chhattisgarh Through- Police Station Kotwali District Rajnandgaon
Chhattisgarh

---- Respondent

And

MCRC No. 5965 Of 2017

Dilip Kumar S/o Feru Satnami, Aged About 51 Years Occupation
Agriculturist, R/o Village Jurla Khurd, P.S. And Tahsil Rajnandgaon, District
Rajnandgaon, Chhattisgarh

---- Applicant

Vs

State Of Chhattisgarh Through The Station House Officer, Police Station City
Kotwali Rajnandgaon, District Rajnandgaon, Chhattisgarh

---- Respondent

Shri T.K.Jha, Shri Rakesh Thakur and Shri Sameer Singh counsel for respective applicants.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

20/11/2017

Heard.

The applicants have been arrested in connection with Crime No.175/2017 registered at Police Station – Kotwali, Civil & Revenue District - Rajnandgaon (CG) for alleged commission of offences under Section 420, 467, 468 and 120 of IPC against Sondas Barman and Dilip Kumar and under Section 420, 467, 468, 120-B, 419, 471/34 of IPC against Radhika Bai Gaukar.

2. Case of the prosecution is that the property belonging jointly to Dilip Kumar and his sister Man Bai was sold by Dilip impersonating Radhika Bai as Man Bai.

3. Learned counsel for the applicants submit that as far as Sondas Barman is concerned, his case is similar to that of co-accused – Raju Bokade, who has been granted bail by this Court in MCRC No.2269/2017. As far as other two applicants are concerned, it is submitted that investigation is complete, charge sheet has been filed and the applicants are not likely to abscond or tamper with the prosecution witnesses. Therefore, they may be granted bail.

4. On the other hand, learned State counsel opposes bail application and submits that the manner in which the property was sold, a prima facie case is made out and if they are granted bail, they may tamper with the prosecution witnesses.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that co-accused – Raju Bokade has been granted bail by this Court and that the case of Sondas appears to be similar to that of Raju Bokade, further considering that investigation is complete, charge sheet has been filed and Radhika Bai and Dilip Kumar do not appear to tamper with prosecution witnesses nor likely to abscond, I am inclined to grant bail to the applicants.

6. Accordingly, all the applications are allowed. 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/- along with one surety for the like amount to the satisfaction of the Trial Court. They shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Deepti