

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 201 of 2017

1. Vijay, S/o. Shyam Shankar Dewangan, Aged About 20 Years, R/o. Tikripara, Bilaigarh, Police Station Bilaigarh, District Baloda Bazar-Bhatapara, Chhattisgarh.
2. Dwashram, S/o. Dukhram Dewangan, Aged About 40 Years, R/o. Village Kharod, Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh.
3. Nand Kumar, S/o. Narayan Prasad Dewangan (wrongly mentioned Nararayan in Order Sheet), Aged About 21 Years, R/o. Village Tundra, Police Station Gidhouri Tundra, District Baloda Bazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Gidhouri, District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. K.K.Dewangan, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25/01/2017

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.67/2016 registered at Police Station- Gidhouri, District Baloda Bazar – Bhatapara (C.G.) for the offence punishable under Section 170, 420, 465, 506, 451/34 of Indian Penal Code.
2. As per the prosecution case, a report was made by Jitendra Kumar Dewangan of C.S.P.D.C.L. that the applicant pretending themselves to be the officer of the Electricity Department were collected different amount from the persons who were having the electricity connection though not legally obtained and Rs.5000/- was collected. Thereby, the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated and one of the applicant was the resident of the same village and it is impossible to state that he was projected as an officer of the Electricity Department. He further submits that the charge sheet in this case has been filed and no further investigation is necessary, 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 facts and circumstances of the case, taking into the nature of offence and degree of allegation and further taking into fact that the charge sheet has been filed and the applicants are in jail since 12.10.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a 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