

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1015 of 2017

1. Suresh S/o Santosh Yadav Aged About 20 Years R/o Village Kharod, Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh.
2. Ajay S/o Late Lakhan Lal Kahar Aged About 25 Years R/o Village Kharod, Police Station Shivrinarayan, District Janjgir-Champa, Chhattisgarh. --- **Applicants**

Versus

- State of Chhattisgarh through: Station House Officer, Police Of Police Station Gidhouri, Distict Baloda Bazar- Bhatapara, Chhattisgarh.----
Respondent

For the applicants	:	Mr. Anil Gulati, Advocate
For the Respondent	:	Mr. Aupam Dubey, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

01.03.2017

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 67/2016 registered at Police Station Gidhouri, Distt. Baloda Bazar- Bhatapara (C.G) for the offence punishable under Sections 170, 420, 465, 506, 451 read with section 34 of IPC.
2. As per the prosecution case, a report was made by Jitendra Kumar of CSPDCL that the applicants pretending themselves to be the officers of Electricity Department have collected different amounts from the villagers who are having electricity connection, thereby the offence has been committed.
3. Learned counsel for the applicants would submit that the applicants have been falsely implicated as one of the applicants was resident of the same village and it is

completely improbable that the said applicant being the same villager could project himself to be the officer of the electricity department. He further submits that similarly placed accused Vijay, Dwashram and Nandkumar have been enlarged on bail by this Court in M.Cr.C.No.201/2017, therefore, the present applicants may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that the persons against whom similar allegations were levelled have been enlarged on bail by this court.
5. Perused the case diary and documents. Considering the facts and circumstances of the case; the nature of offence and the degree of allegations and further taking into fact that the charge sheet has been filed and the applicants are in jail since 12.10.2016 as also the fact that similarly placed accused have been enlarged on bail by this Court, I am inclined to allow this bail application.
6. Accordingly, the bail application is 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 for their appearance.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**