

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.3015 of 2017

1. Muneshwar @ Baiga, S/o Devchand, aged about 35 years, Caste Turi, R/o Bagicha, Police Station & Tahsil Bagicha, District Jashpur (C.G.)
2. Rameshwar Jaiswal, S/o Jogi, aged about 45 years, Caste Jaiswal, R/o Shankargarh, Police Station Shankargarh, District Balrampur (C.G.)

---- Applicants

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Bagicha, District Jashpur (C.G.)

---- Non-applicant

For Applicants:	Mr. C.J.K. Rao, Advocate.
For Non-applicant:	Mr. Sanjeev Pandey, Govt. Advocate.

Hon'ble the Vacation JudgeOrder On Board31/05/2017

1. Heard on the application under Section 439 of the CrPC for grant of bail.
2. It is submitted that the applicants have been arrested in connection with Crime No.154/2016 registered for offence under Sections 420, 467, 468, 471 and 120B read with Section 34 of the IPC at Police Station Bagicha, Distt. Jashpur, on 21-3-2017. It is further submitted that the applicants are innocent and have been falsely implicated. The applicants had preferred an application for anticipatory bail bearing M.Cr.C.(A)No.1300/2016 and in compliance of order dated 3-3-2017 of this Court, they have surrendered before the trial Court and committed to custody. The

applicants had never been instrumental in commission of any offence. They are local residents and willing to abide by the conditions with respect to grant of bail. Charge-sheet has been filed and the case before the trial Court is likely to take some time for its disposal. Hence, it is prayed that the application be allowed.

3. Counsel for the State has opposed the bail application.
4. Perused the case diary of Crime No.154/2016.
5. Police Station Bagicha, Distt. Jashpur has registered the offences aforementioned against the applicants and co-accused Mohammad Shabbir Khan, Krishna Kumar Gupta and two others, who are absconding. Mohammad Shabbir Khan has been benefited with bail by order dated 24-10-2016 of this Court in M.Cr.C.No.6551/2016. Similarly, co-accused Krishna Kumar Gupta has also been benefited with bail by order dated 23-11-2016 of this Court in M.Cr.C. No.7335/2016.
6. As per the contents of the case diary, the applicants made use of forged rin pustika for purchase of fertilisers which is a commodity distributed and sold to the owners of agricultural fields in a restricted manner as per the policy of the State Government. There are no criminal antecedents of the applicants. Looking to these facts and the fact that co-accused persons have been benefited with bail by this Court and that the trial is likely to take some time, it is a fit case where the applicants should be benefited with grant of bail. Hence, this application is allowed.

7. It is, therefore, directed that the applicants be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Vacation Judge

Subbu