

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.3135 of 2017**

1. Dinesh Gupta @ Guddu S/o S/o Ramesh Gupta, Aged About 23 Years R/o 104 M , 1/50 Phase- 1, Buddh Vihar Radhika Mandir Road, Delhi- 85
2. Vinit @ Sachin Rawat, S/o Ramesh Kumar @ Ramkhilawan, Aged About 57 Years R/o B- 57 Karan Vihar Kiradi Sultanpuri, Delhi 86.
3. Deepak Kumar Jatav S/o Niranjana Kumar Jatav Aged About 22 Years R/o House No. 562, Mangolpur Delhi- 83

---- Applicants**Versus**

State Of Chhattisgarh Through: Police Station Balod District Balod, Chhattisgarh.

---- Non-Applicant

For Applicants:

Shri Arvind Dubey, Advocate.

For State/Non-Applicant:

Shri Anupam Dubey, Dy. Govt. Advocate.

Single Bench: Hon'ble Shri Prashant Kumar Mishra J
Order On Board

24.5.2017

1. This is the first bail application under Section 439 Cr.P.C for grant of regular bail as the Applicants are arrested in connection with Crime No.169/2016 registered at Police Station – Balod, District Balod (CG) for the offence punishable under Sections 420, 467/34, 468/34, 471/34 and 120-B IPC.
2. The Applicants and other accused persons published advertisement in newspaper inviting persons who are interested to install mobile tower of Aircel Company with promise that the person who agrees to install the same would be paid Rs.80 lacs.
3. Learned Counsel for the Applicants submits that the Applicants are

innocent and have been falsely implicated in the alleged crime. He further submits that Hitesh @ Rinku has been released on bail by the Supreme Court in S.L.P (Cr.) No.1510/2017 and another accused Manav @ Monu has also been released on bail by this Court vide order dated 28.4.2017 passed in M.Cr.C No.1991/2017. He submits further that there are no criminal antecedents of similar offence against them and are therefore liable to be enlarged on bail.

4. On the other hand, learned counsel for the State opposed the prayer for bail.

5. Having considered the facts and circumstances of the case, the nature of allegations, that the offence is triable by the Judicial Magistrate, First Class and that the Applicants are in jail since 30.04.2016 and that the co-accused have already been released on bail, this Court is inclined to release the Applicants on bail. 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 their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court. They shall also appear before the trial Court as and when directed. It is made clear that if the Applicants involve themselves in the offence of similar nature in future, this order granting bail to the Applicants shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge