

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 1027 of 2017**

1. Sonu Yadav S/o Bhagwandin Aged About 21 Years R/o Village Bahrasi, Police Station Janakpur, District Korea, Chhattisgarh.
2. Dinesh Prajapti @ Bhusarha S/o Hirawan Prajapati, Aged About 35 Years R/o Village Bahrasi, Police Station Janakpur, District Korea, Chhattisgarh.
3. Manoj Yadav @ Buddhu S/o Narendra Yadav Aged About 30 Years R/o Village Bahrasi, Police Station Janakpur, District Korea, Chhattisgarh.
4. Vijay Yadav @ Lalit Ahir S/o Shri Bhagwandin Yadav, Aged About 19 Years R/o Village Bahrasi, Police Station Janakpur, District Korea, Chhattisgarh.

---- Petitioners**Versus**

State Of Chhattisgarh Through Incharge Police Station Janakpur,
District Korea, Chhattisgarh.

---- Respondent

For the Petitioners	:	Shri Kishore Narayan, Advocate.
For the Respondent/State	:	Shri Anil S. Pandey, Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.08.2017**

1. Heard.
2. Learned counsel for the petitioners submits that Crime No. 29 of 2017 for the offences under Sections 147, 149, 354(A), 323, 456 and 506 of the Indian Penal Code was registered in police station Janakpur, District Koriya and in pursuance thereof, the petitioners were arrested and were released on bail by the order dated 25.3.2017 passed by the Court of Second Additional Sessions Judge, Manendragarh. After completion of investigation, charge-sheet has been filed before the Court of Judicial

Magistrate First Class on 12.6.2017. The Court of JMFC, Manendragarh has passed an order for issuance of non-bailable warrant against the petitioners. Hence, this petition.

3. Learned State counsel submits that after completion of investigation, offences under Sections 375 and 376D of the IPC have also been added because of which the petitioners are not entitled for any relief.

4. Learned counsel for the petitioners submits that an application for anticipatory bail had been moved before the Sessions Court but the same has been rejected.

5. Considering the submissions made and after perusing the documents on record, it appears that the petitioners have an option to move an application before the Sessions Court praying for order of bail in view of the additional offence for which they have charge-sheeted. Accordingly, this petition is disposed off with a direction to the petitioners to surrender before the Court below and move an application for regular bail before the Sessions Court. It is also directed that if the petitioners surrender before the Court below, then their bail application may be decided by the Sessions Court preferably on the day of their representation without being influenced by any of the observations made in this order.

6. In view of above, the petition stands disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge