

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6007 of 2017

1. Musraha Kumhar @ Dinesh @ Musraha Prajapati S/o Heeralal, Aged About 28 Years
2. Lali Ahir @ Vijay Yadav S/o Bhagwandin Yadav, Aged About 19 Years
3. Monu Ahir S/o Bhagwandin Yadav, Aged About 21 Years
4. Manoj Yadav, S/o Narendra Yadav, Aged About 26 Years

All are R/o Village Bahrasi, Police Station Janakpur, District Koriya, Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through Station House Office, Police Station Janakpur, District Koriya, Chhattisgarh.

---- Respondent

And

MCRC No. 5963 Of 2017

1. Anjani Prajapati S/o Indar Prajapati, Aged About 33 Years R/o Village Bahrashi, Police Station Janakpur Tahsil Bharatpur District Korea, Chhattisgarh.

---- Applicant

Vs

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

---- Respondent

For Applicants in
M.Cr.C.No.6007/2017
For Applicant in
M.Cr.C.No.5693/2017
For Respondent/State

Shri Yougeshwar Sharma, Advocate
Dr. Shailesh Ahuja, Advocate
Shri Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

11/12/2017

1. Heard.
2. The applicants have preferred these applications filed under Section 439 of the Cr.P.C. for grant of regular bail as they are arrested in connection with crime No.29/2017 registered in Police Station Janakpur, District Korea, for offence punishable under Sections 147, 149, 456, 354 (क), 323, 506, 375 (ख), 376 (घ), 450 & 201 of the Indian Penal Code.
3. It is argued that except accused Anjani Prajapati, other accused persons were earlier released on bail by the Second Additional Sessions Judge, Manendragarh, on 25-3-2017, however, since at the time of filing of charge sheet two other offences were added, the applicants have been arrested again.
4. The bail application of Anjani Prajapati has been objected on the ground that he is a habitual offender.
5. Considering the nature of allegations against Anjani Prajapati and his antecedents, this Court is not inclined to release him at present. Accordingly, the bail application (M.Cr.C.No.5963 of 2017) of Anjani Prajapati is rejected with liberty to move again after examination of the prosecutrix or after three months, whichever is earlier.

6. Since the applicants in M.Cr.C.No.6007 of 2017 namely; Musraha Kumhar @ Dinesh @ Musraha Prajapati, Lali Ahir @ Vijay Yadav, Monu Ahir and Manoj Yadav were previously released on bail, but they have been rearrested on addition of some fresh charges pertaining to the same FIR, this Court is inclined to release the applicants on bail. Accordingly, the bail application (M.Cr.C.No.6007 of 2017) is allowed and the applicants namely; Musraha Kumhar @ Dinesh @ Musraha Prajapati, Lali Ahir @ Vijay Yadav, Monu Ahir and Manoj Yadav are directed to be released on bail on each of them executing a personal bond for a sum of Rs.25,000/- with one surety for the like amount to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Judge

Prashant Kumar Mishra

Gowri