

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1036 of 2017

Anil Lahre, S/o. Shri Gangaram Lahre, Aged About 41 Years, R/o. Bhartiya Nagar Chowk, Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Of Police Station Tarbahar, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. S.M.H.Jafri, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

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MCRC No. 833 of 2017

Sameer Badjatya, S/o. Sahdev Yadav, Aged About 40 Years, R/o. Mundala Pahar, Police Station Sukhdev Nagar, Ranchi (Jharkhand).

---- Applicant

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Tarbahar, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Awadh Tripathi, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.03.2017

1. This is the second bail application of the applicant Anil Lahre and first bail application of the applicant Sameer Badjatya filed under Section 439 of the Code of Criminal Procedure for grant of regular

bail to the applicants who have been arrested in connection with Crime No.363/2016 registered at Police Station- Tarbahar, District Bilaspur (C.G.) for the offence punishable under Section 420/34, 467, 478, 471, 201 of Indian Penal Code.

2. As per the prosecution case, an advertisement was made in the newspaper that security guard are being appointed in the forest. Consequently, a report was made by one Vivek Dubey and the office of the applicants were raided, which was named as Indian Security Guard Pvt. Ltd., wherein it was revealed that they have taken Rs.6000/- from different persons for such appointment. Thereby, the offence has been committed.
3. Learned counsel for the applicants would submit that for the applicant Anil Lahre, this is the second bail application, the first bail application was dismissed on 14.12.2016 as withdrawn with liberty to file afresh after filing of the charge sheet and with respect to the applicant Sameer Badjatya this is the first bail application. They submit that the applicant Anil Lahre was an employee and the applicant Sameer Badjatya was running an office of Indian Security Services and the appointments are given by the same Security Services and Rs.6000/- was being charged for providing the uniform, dress etc., therefore, no offence has been committed. It is further submitted that the charge sheet has been filed and no further investigation is necessary, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence and degree of allegation and further considering the fact that the charge sheet has

been filed and the applicants are in jail since 18.11.2016 & 02.01.2017, I am inclined to release the applicants on bail.

6. Accordingly, both the bail application filed under Section 439 of Cr.P.C. are allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge