

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7612 of 2017

- Jagjeet Singh @ Sonu S/o Balwant Singh, Aged About 28 Years, R/o R.D.A. Colony, Block - S, Hirapur, Police Station Kabir Nagar Raipur District Raipur Chhattisgarh. , Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Amanaka Raipur, District Raipur Chhattisgarh. , Chhattisgarh

---- Non-applicant

MCRC No. 7622 of 2017

- Jagjit @ Ricky S/o Shri Karam Singh, Aged About 27 Years, R/o Kaiwalya Park, House No.23, Kumhari, P.S. Kumhari, District Durg, Chhattisgarh, Presently Residing At Veer Sawarkar Nagar, P.S. Amanaka, District Raipur, Chhattisgarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Amanaka, District Raipur, Chhattisgarh, Chhattisgarh

---- Non-appliant

MCRC No. 7744 of 2017

- Manpreet Singh @ Manna S/o Shri Nachhattar Singh, Aged About 25 Years, R/o M.I.G. 36, Veer Savarkar Nagar, Police Station Kabir Nagar, Raipur, District Raipur Chhattisgarh Mobile No. 8827450963, Chhattisgarh
- Gurjant Singh @ Sonu S/o Shri Nachhattar Singh, Aged About 22 Years, R/o M.I.G. 36, Veer Savarkar Nagar, Police Station Kabir Nagar, Raipur, District Raipur Chhattisgarh Mobile No. 8827450963, District : Raipur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Amanaka Raipur, District Raipur Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicant(s) –Mr. Manoj Mishra, Advocate (in MCRC No.7744/2017),
Mr. N.Naha Roy, Advocate (in MCRC No.7622/2017),
Mr. M.P.S. Bhatia, Advocate (in MCRC No.7612/2017).
For Non-applicant/State – Ms. Smita Ghai, Panel Lawyer.
Mr. Abhijit Sarkar, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-02-2018

1. As these three MCRC arise out of the same crime number, they are being decided by this common order.
2. Heard on the applications filed under Section 439 of the Cr.P.C. These are first bail application before this Court by the applicants for regular bail. Applicant Jagjeet Singh @ Sonu in MCRC No.7612/2017 has been arrested on 09-08-2017 and applicant Jagjit @ Ricky in MCRC No.7622/2017 and applicants Manpreet Singh @ Manna and Gurjant Singh @ Sonu in MCRC No.7744/2017 have been arrested on 25-08-2017 in connection with Crime No.178/2017 registered at P.S. Amanaka Raipur, District Raipur, C.G. for the offence under Section 365, 342, 294, 506-B, 323, 34 of the IPC.
3. It is submitted on behalf of the applicants that the applicants are innocent and have been falsely implicated in this case. No case is not made out against the applicants on the basis of material against them. Applicant Jagjeet Singh @ Sonu is in jail since 09-08-2017 and applicant Jagjit @ Ricky in MCRC No.7622/2017 and applicants Manpreet Singh @ Manna and Gurjant Singh @ Sonu in MCRC No.7744/2017 are in jail since 25-08-2017 Hence, it is prayed that they may be granted regular bail.
4. Learned counsel for the State/non-applicant opposes the applications and submission made. It is submitted that no case is made out for grant of regular bail to the applicants. Hence, the applications may be dismissed.
5. Learned counsel for the objector/complainant submits that although the applicants are in jail, but the complainant is constantly receiving threats and is being demanded that he should help in getting the applicants bailed out. Hence, for this reason, the applicants are not entitled for grant of bail.
6. Heard learned counsel for the parties and perused the case diary.
7. On the date of incident, complainant Gurudev Singh was forced by the

applicants to sit on vehicle and then he was taken to a lonely place where all the applicants assaulted the complainant with hands and fists causing him various injuries and thereafter again the complainant was brought in the same vehicle to his place and was left by the applicants. The case is presently before the trial Court.

8. Considered on the submissions made and the contents of the case diary.

9. All the injuries caused to the complainant are of simple in nature and regarding the threat as submitted by counsel for the objector, the complainant has option to file a separate complaint to seek action against the applicants. Considering all the facts and circumstances of this case, I am of this view that the applicants should be granted regular bail during pendency of the trial against them.

10. Consequently, all these three applications (MCRC No.7612/2017 , MCRC No.7622/2017 and MCRC No.7744/2017) filed under Section 439 of the Cr.P.C. by the applicants are hereby allowed. It is directed that the applicants shall be released on bail on each of them 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 Court, for their appearance as and when directed.

11. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge