

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1141 of 2018**

1. Vikrant @ Aama Nirmalkar, S/o. Johat Ram Nirmalkar, Aged About 23 Years, R/o. Krishna Nagar, Near Bijli Office, Police Station- Gudiari, District- Raipur, Chhattisgarh.
2. Santosh Patel, S/o. Manharan Lal Patel, Aged About 32 Years, R/o. Near Shri Nagar Kirana Store, Police Station - Khamtarai, Tahsil and District- Raipur, (C.G.).

---- Applicants

Versus

State Of Chhattisgarh, Through- Police Station - Khamtarai, Tahsil and District- Raipur, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Pushpendra Kumar Patel, Advocate
For State/respondent	: Mr. Aaditya Sharma, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****23/04/2018**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants, who have been arrested in connection with Crime No.605/2017, registered at Police Station – Khamtarai, District – Raipur (C.G.), for the offence punishable under Section 384, 419, 120-B of the Indian Penal Code.

2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. Applicants are in jail since 27.12.2017. Charge-sheet has been filed after completion of investigation. No case is made out against the applicant on the basis of the material present in the charge-sheet. It is submitted that the co-accused person namely Tikam Sahu has been granted bail by this Court and the applicants also have a similar case against them. Therefore, it is prayed that the applicants may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the case of the prosecution, on the date of incident co-accused Tikam Sahu, impersonated as a police constable he along with these applicants threatened and induced the complainant to deliver a mobile in his possession by way of extortion. Hence this case.
6. Considered on the submissions made and the contents of the case diary. After perusal of the case diary and finding that the applicants have no criminal antecedents and trial against them is likely to take sometime for its conclusion, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram