

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C. No. 2274 OF 2018

1. Rai Singh S/o Shri Haral Singh aged about 40 years, by caste Dhruv,
2. Dilip S/o Johan Ram, aged about 31 years, by caste: Dhruv,
Both are R/o Village: Khallari, Tahsil : Nagri, District Dhamtari (CG)

---Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Police
Station Khallari, District Dhamtari (CG)

---Non-applicant

M.Cr.C. No. 2298 OF 2018

1. Govind S/o Late Sonau Ram aged about 35 years, by caste Dhruv,
2. Yadvant S/o Johan Ram, aged about 30 years, by caste : Dhruv,
Both are R/o Village: Jogi, Birdo, Khallari, Tahsil : Nagri, District Dhamtari (CG)

---Applicants

Versus

State of Chhattisgarh, Through Station House Officer, Police Station
Khallari, District Dhamtari (CG)

---Non-applicant

For Applicants	:	Mr.B.D.Badgayyan, Advocate
For-Non-applicant	:	Mr.Anand Dadariya, Dy.Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

09/07/2018

1. Since the aforesaid two bail applications have been filed against the same crime number i.e. Crime No.3/2017, they are heard

together and are being disposed of by this common order.

2. These are the first bail applications 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. 3/2017, registered at Police Station-Khallari, District Dhamtari (C.G.), for the offence punishable under Sections 147, 148, 149, 302 and 342 of the IPC.

3. Case of the prosecution, in brief, is that, the applicants and other co-accused persons in the intervening night of 7/8.9.2017 forcefully opened the house of Shatrughan Mandavi and caught-hold of him and thereafter caused his murder and thereby committed the offences.

4. Mr.B.D.Badgayyan, learned counsel appearing for the applicants, would submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. He would further submit that deceased-Shatrughan Mandavi has not returned ₹ 25,000/- given to him for exchange at the time of demonetization of currency. The applicants are in jail since 28.9.2017, charge-sheet has been filed and no useful purpose will be served by detaining him in jail.

5. Learned State counsel would oppose the bail applications.

6. I have heard learned counsel appearing for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the

case; further taking into consideration the nature and gravity of offence; material available on record and the manner in which they said to have committed the offence, this Court is not inclined to release the applicants on regular bail.

8. Accordingly, bail applications filed under Section 439 of the Cr.P.C. are rejected.

Sd/-
(Sanjay K. Agrawal)
JUDGE

B/-