

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1339 of 2018

- Tarik Memon S/o Mohammad Rafique Memon Aged About 40 Years
R/o.- Darribhatha, Police Station And Tehsil Janjgir, District- Janjgir-
Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station Bramhanidih, District
Janjgir-Champa, Chhattisgarh, District : Janjgir-Champa, Chhattisgarh.

---- Respondent

M.Cr.C. No. 1994 of 2018

- Rajesh Rao Jawadkar S/o Narayan Rao Aged About 45 Years Caste-
Brahman, R/o- Village Kulipota, Police Station And Tehsil Janjgir,
District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Staion Bramhanidih, District-
Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa,
Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Kashif Shakeel, Advocate in M.Cr.C. No. 1339/2018.
		Mr. Sudeep Agrawal, Advocate in M.Cr.C. No.1994/2018.
For Respondent	:	Mr. Anant Bajpai, PL in M.Cr.C. No.1339/2018.
		Mr. Anupam Dubey, Dy. GA in M.Cr.C. No.1994/2018.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

24.04.2018

1. Since the above regular bail applications arising out of the same crime number, they are being disposed of by this common order.
2. This is the first bail application 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. 05/2018 registered at Police Station – Bramhanidih, District – Janjgir -Champa, (C.G.) for the offences under Sections 406, 408, 411, 420, 467, 468, 471 of the Indian Penal Code.
3. It is submitted on behalf of the applicants that the applicants are innocent and have been falsely implicated in this case. The investigation is still pending. On the basis of material present in the investigation no case is made out against the present applicants. The applicants deal with the scrap and they have purchased scrap from Singhal Construction Company believing it a legal sale. They had no knowledge that the papers of the Singhal Construction Company showing the authorization of the sale are forged, hence, it is prayed that the applicants may be released on bail.
4. Learned counsel for the respondent/State opposes the applications and submission made in this respect.
5. Heard both the parties and perused the case diary.
6. According to the prosecution case the employee of Singhal Construction Company misappropriated the property of the said company and sold it to the applicants. After lodging of FIR, on the basis of memorandum statement given by the co-accused persons, these applicants have been arrayed as accused in this case. Hence, this case.

7. Considered on the submission and contents of the case diary, the applicants are in detention since quite some time and the trial is likely to take some more time for its completion, for this reason, this Court is of the opinion that this is a fit case where the applicants should be released on bail.
8. Accordingly, **(M.Cr.C. Nos. 1339/2018, 1994/2018)**, filed under Section 439 of Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on each of them 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 /-

(Rajendra Chandra Singh Samant)

Judge