

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7274 of 2017

1. Ramkumar S/o Krishna Verma, Aged About 24 Years R/o Rajeev Nagar, Ward No. 2, Police Station Kotwali, Civil And Revenue District Durg Chhattisgarh.
2. Ajeet Sahu S/o Raj Kapoor Sahu, Aged About 22 Years R/o Rajeev Nagar, Ward No. 2, Police Station Kotwali, Civil And Revenue District Durg Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through District Magistrate, Kabirdham Chhattisgarh.

---- Respondent

And

MCRC No. 7425 Of 2017

- Pekhan Chandrakar S/o Shri Samaliya Chandrakar, Aged About 40 Years Occupation Agriculturist, R/o Village Pendra, Police Chowki Dashrangpur, Police Station Pipariya, Tahsil Kawardha, District Kabeerdham, Chhattisgarh

---- Applicant

Vs

- The State Of Chhattisgarh Through The District Magistrate, District Kabeerdham, Chhattisgarh And Also Through Police Chowki Dashrangpur, Police Station Pipariya, Tahsil Kawardha, District Kabeerdham, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Dharmesh Shrivastava and Mr. Pushendra Kumar Patel, Advocates.
For Respondent	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

03/01/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, for grant of regular bail to the applicants as they have been arrested in connection with Crime No. 239/2017 registered at Police Station- Pipariya, Out Post- Dashrangpur, District-Kabirdham (C.G.) for the offence punishable under Sections 120-B, 115, 34 of Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submit that applicants have been falsely implicated in this case. Applicants are in jail since 28.10.2017. No case is made out against the applicant on the basis of material placed in the charge-sheet. The applicants are ready to abide by all the conditions which may be imposed while granting bail to them. Hence, it is prayed that applicants be enlarged on bail.
4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect. It is submitted that it is a case where applicant Pekhan Chandrakar in MCRC No.7425/2017 had given a contract to applicants in MCRC No.7274/2017 to murder the complainant, Hence, the offence committed is of serious in nature because of which applicants are not entitled for grant of regular bail.
5. Heard both the parties and perused the case diary.
6. Complainant Sunil Chardrakar lodged FIR against the applicants in both the cases that the applicants in MCrC No.7274/17 met him in Pune and told that applicant Pekhan Chandrakar has given them

contract to kill him, but they do not want to kill him and thereafter they created dramatized scene about killing of the complainant by putting tomato sauce on his clothes and after making a video record of the same, informed applicant Pekhan Chandrakar about the fulfillment of the contract. Later on, complainant lodged FIR on the basis of which case has been registered and after completion of investigation, charge-sheet has been filed.

7. Considering the submissions made and the contents of the case diary and the fact that there is no previous criminal antecedents against any of the applicants, they are local residents of District-Kabirdham and Durg and the trial of the case is likely to take some time, I am of this view, that this is a fit case where the applicants should be benefited with grant of regular bail during the pendency of trial against them.
8. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety 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