

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2606 of 2018

Prakash Bhatt S/o Sambhudas Bhatt, aged about 40 years, R/o Village- Barbaspur, Tahsil- Kawardha, P.S. Kawardha, District- Kabirdham (C.G.).

---- Applicant

Versus

State of Chhattisgarh through Police Station- Kukdur, District- Kabirdham (C.G.).

---- Respondent

AND

MCRC No. 2724 of 2018

1. Ramdayal S/o Samaru Baghel, Caste- Dhoba, aged about 45 years, R/o Village- Damgadh, P.S.- Kukdur, Tahsil- Pandariya District- Kabirdham (C.G.).
2. Narendra S/o Harishparaste, Caste- Gond, aged about 41 years, R/o Village- Majholi, P.S. Kukdur, Tahsil- Pandariya District- Kabirdham (C.G.).

---- Applicant

Versus

State of Chhattisgarh through Police Station- Kukdur, District- Kabirdham (C.G.).

---- Respondent

For Applicants:	Mr. Akath Kumar Yadav, Advocate
For Respondent :	Mr. Arvind Shukla, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

20/06/2018

1. Heard.
2. Since both the cases arise out of same Crime number, therefore, they are being disposed of by this common order.
3. The applicants have preferred first bail applications (in both the cases)

under Section 439 of the Cr.P.C for grant of regular bails as they are arrested in connection with Crime No. 33/2018 registered at Police Station- Kukdur, District- Kabirdham (C.G.) for the offence punishable under Section 420/34 of IPC.

4. As per prosecution story a written complaint was lodged by the complainants- Dholuram, Ramkumar Kurre, Narendra Singh Praste, Ramdayal and other complainants alleging that the applicants have cheated them on the pretext of providing employment on the post of Peon, Clerk and Hostel Superintendent and also they had taken money for providing Indira Awas to them. On the said complaint, the police has registered the offence under Section 420 of IPC. During the course of investigation, the applicants were arrested.
5. Counsel appearing on behalf of the applicants submits that the incident is of the year 2016 and the written complaint was lodged in the year 2018. He further submits that the applicants have been falsely implicated in the present case. It is further submitted that there is no any specific allegation against applicant No. 2 - Narendra (In MCRC No. 2724). The applicants are in custody since 29/03/2018, offence is triable by the JMFC and the trial will likely to take some time, therefore, the applicants may be released on bail.
6. Per contra, learned counsel appearing on behalf of the State opposes the bail applications.
7. I have heard learned counsel for both the parties.
8. Considering the facts and circumstances of the case, particularly, considering the fact that the offence is triable by the JMFC and the applicants are in custody since 29/03/2018, I am inclined to release the

applicants on bail.

9. Accordingly, MCRC No. 2606/2018 and MCRC No. 2724/2018 are allowed. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one surety each to the satisfaction of the trial Court. Thereafter, they will appear before the Trial Court on each and every date as is given to them by the said Court in this regard.

Sd/-

Judge
Arvind Singh Chandel

Rahul