

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8077 of 2017

1. Raju Dhimar S/o Late Prahlad Singh Dhimar, Aged About 38 Years, R/o Bori, P. O. and P. S. Bori, Tahsil Damdha, District Durg Chhattisgarh, Chhattisgarh
2. Rajkumar S/o Late Prahlad Dhimar, Aged About 31 Years, R/o Bori, P. O. and P. S. Bori, Tahsil Damdha, District Durg Chhattisgarh , District : Durg, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P. S. Damdha, District Durg Chhattisgarh , Chhattisgarh

---- Non-applicant

For Applicants – Shri P.R. Patankar, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-03-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 04-02-2017 in connection with Crime No.18/2017 registered at P.S. Damdha, District Durg, Chhattisgarh for the offence under Section 420, 467, 468, 471 read with Section 34 of the IPC.
2. It is submitted on behalf of the applicants, that the applicants have been falsely implicated in this case. They are in jail since 04-02-2017. After filing of the charge sheet on 24-03-2017, the trial is not yet concluded against these applicants and they are languishing in jail without there being any fault on their part. Hence, it is prayed that the applicants may be released on bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. First bail application of the applicants has been rejected on merits by

coordinate Bench of this Court vide order dated 24-04-2017. In the present circumstances, the trial of the case against these applicants is still pending and there is likelihood of delay in conclusion of the trial, further, co-accused person in this case has been granted bail who appears to be similarly placed, hence, for these reasons, I am of this view that both the applicants should be released on bail during pendency of the trial against them.

6. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge