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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8023 of 2017**

Tikam Sahu S/o Shri Tularam Sahu, Aged About 26 Years, R/o. Village Paraskol, P. S. Arang, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through P. S. Rajim District Gariyaband Chhattisgarh.

---- Respondent

M.CR.C. No. 8042 of 2017

Tikam Sahu S/o Shri Tularam Sahu, Aged About 26 Years, R/o. Village Paraskol, P. S. Arang, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through -P. S. Rajim, District -Gariyaband Chhattisgarh.

---- Respondent

M.CR.C. No. 8054 of 2017

Tikam Sahu S/o Shri Tularam Sahu, Aged About 26 Years, R/o. Village Paraskol, P. S. Arang District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through -P. S. Rajim, District Gariyaband, Chhattisgarh.

---- Respondent

M.CR.C. No. 8062 of 2017

Tikam Sahu S/o Shri Tularam Sahu, Aged About 26 Years, R/o. Village Paraskol, P. S. Arang, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through -P. S. Rajim, District- Gariyaband Chhattisgarh.

---- Respondent

AND**M.CR.C. No. 115 of 2018**

Tikam Sahu S/o Shri Tularam Sahu, Aged About 26 Years R/o Village Paraskol, P. S. Arang District Raipur Chhattisgarh, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through -P. S. Rajim, District -Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	: Mr. C.R. Sahu, Advocate
For State/respondent	: Mr. Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/04/2018

- Although the crime numbers in all the above cases are different, but the applicant in all the cases are one and same, therefore, all the above bail applications are heard and decided together by this common order.
- These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with the following crime numbers for the following offences, registered at Police Station – Rajim, District – Gariyaband (C.G.):-

Sr.	M.Cr.C.No.	Crime No.	Offence Under Section
1.	8023/2017	147/2018	379, 392 & 411 of the Indian Penal Code
2.	8042/2017	151/2017	341, 392 & 411 of the Indian Penal Code
3.	8054/2017	153/2017	392 of the Indian Penal Code
4.	8062/2017	152/2017	392 & 411 of the Indian Penal Code (wrongly mentioned 341 of I.P.C. in the impugned order)
5.	115/2018	150/2017	392 & 341 of the Indian Penal Code (U/s. 411 of I.P.C. is wrongly mentioned in the impugned order)

- It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 05.08.2017. All the cases are triable by Judicial Magistrate First

Class. The trial against the applicant is still not concluded. Hence, prayed that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that looking to the series of offences committed by this applicant, he appears to be a criminal element, hence he is not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. The facts of the prosecution in brief in all the cases are as under :-
 - (I). In M.Cr.C. No.8023/2017, the allegation against the applicant is this that he looted the bag of complainant – Hemlata Sahu containing mobile phone, some papers along with cash of Rs.4,000/-.
 - (II) In M.Cr.C. No.8042/2017, the allegation against the applicant is this that he looted the bag of complainant – Nitu Nishad containing mobile phone and tiffin box.
 - (III) In M.Cr.C. No.8054/2017, the allegation against the applicant is this that he looted the bag of complainant – Bharti Sahu containing cash of Rs.200/- and one mobile phone.
 - (IV) In M.Cr.C. No.8062/2017, the allegation against the applicant is this that he looted the bag of complainant – Renuka Sahu containing one mobile phone, some papers along with cash of Rs.500/-.
 - (V) In M.Cr.C. No.115/2018, the allegation against the applicant is this that he looted the bag of complainant – Tejaswini Sahu containing some clothes, raincoat, along with cash of Rs.1850/-.

On FIR being lodged by all the complainants, separate crime numbers have been registered. During the investigation, this applicant has been identified in test identification parade and some recovery of bags have also been made from the applicant, which has been identified by the complainants in each case. All the above incidents have been taken place between 04.07.2017 to 05.08.2017 and prior to that there is no criminal record of this applicant.

7. Considered on the submissions made and the contents of the case diary. The applicant is in jail since about 8 months. All the cases are triable by Judicial Magistrate First Class. The applicant is local resident of District – Raipur under the jurisdiction of Police Station – Aarang. Considering the facts and circumstances of the case and further taking into consideration the entire material present in the case diary in each cases, this Court is of the opinion that present are the fit cases, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.
9. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. It is further directed that the applicant shall be required to report in Police Station – Rajim once in a month on Monday of the first week of every month till the cases against him are concluded before the trial Court.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge