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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3612 of 2018**

1. Pankaj Bairagi S/o Late Shri Lalchand Bairagi Aged About 28 Years R/o- Village-P.V. 33 Post And Thana- Pakhanjur, Civil And Revenue District- North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh
2. Ganesh Vishwas S/o Late Shri Gopal Vishwas Aged About 37 Years R/o- Village-P.V. 33 Post And Thana- Pakhanjur, Civil And Revenue District- North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh
3. Kartik Vishwas S/o Late Shri Gopal Vishwas Aged About 32 Years R/o- Village-P.V. 33 Post And Thana- Pakhanjur, Civil And Revenue District- North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Pakhanjur, Civil And Revenue District- North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 4207 Of 2018**

Vishwajeet Majumdar S/o Vijay Majumdar Aged About 27 Years R/o- Village P.V. 33, Thana And Tahsil Pakhanjoor, District- U.B. Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicant**Vs**

The State Of Chhattisgarh Through- Police Station Pakhanjoor, District- U.B. Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 3864 Of 2018**

1. Tapas Choudhary S/o Shri Ramesh Choudhary Aged About 25 Years R/o Village P V 33, Post And Thana- Pakhanjur, Civil And Revenue District North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh
2. Devvrat Ray S/o Shri Devraj Ray Aged About 30 Years R/o Village P V 33, Post And Thana- Pakhanjur, Civil And Revenue District North Baster, Chhattisgarh., District : Kanker, Chhattisgarh
3. Kalu @ Ganesh Badhai S/o Shri Govind Badhai Aged About 26 Years R/o Village P V. 33, Post And Thana Pakhanjur, Civil And Revenue District North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Applicants**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station Pakhanjur, Civil And Revenue District North Baster Kanker, Chhattisgarh., District : Kanker, Chhattisgarh.

---- Respondent

For the Applicants : Shri Sunil Sahu and Shri Parag
Kotecha, Advocates.
For the Respondent/State : Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

27.06.2018

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.44 of 2018, registered at Police Station Pakhanjur, Raipur, District – North Bastar, Kanker, Chhattisgarh for the offence punishable under Sections 147, 343, 363, 366, 149 and 496 of the Indian Penal Code.
2. Learned counsel for the applicants submit that the applicants are in jail since 25.3.2018 and have been falsely implicated in these cases. After completion of investigation, the charge-sheet has been filed. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. Hence, it is prayed that the applicants in all these cases be benefited with grant of bail.
3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.
4. Heard counsel for both the parties and perused the case diary.

5. As per the prosecution case, the victim/ prosecutrix was abducted by these applicants and then she was forcefully married to applicant – Vishwajeet Majumdar in M.Cr.C. No. 4207 of 2018; and she kept in confinement for 2 to 3 days. Thereafter, she was rescued by her mother and then, the FIR has been lodged.

6. The main allegation of the prosecutrix is that the person to whom she is married was not mentally fit. Taking into consideration of all the material present in the case-diary, I am of the considered view that in these cases the applicants deserve to be enlarged on bail.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in all the cases shall be released on bail on each of them 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 their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge