

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5046 of 2018

1. Rakesh Kumar Kurre S/o Chhotelal Kurre Aged About 22 Years R/o Village Pouni, District Janjgir Champa Chhattisgarh Present Address College Road Hardi Bazar, Tahsil Katghora District Korba Chhattisgarh, District : Korba, Chhattisgarh
2. Rakesh Kumar Jangde S/o Rajkumar Jangde Aged About 28 Years R/o Village Meu, P. S. Pamgarh District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Masturi District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

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MCRC No. 5171 of 2018

- Dinesh Kumar Dhruv S/o Shambhu Prasad Dhruv Aged About 31 Years R/o Village Teket Pendra Tahsil And District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Masturi District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicants : Mr. S. B. Pandey, Advocate in MCRC
No.5046/2018.

Mr. Rajeev Shrivastava, Advocate in MCRC
No.5171/2018.

For Respondent : Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/08/2018

1. Since the above bail applications arise out of the same crime number, they are being disposed of by this common order.
2. All these bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 are first bail applications on behalf of the applicants for grant of regular bail to them as they are in custody in connection with Crime No.215/2018 registered at Police Station- Masturi, District – Bilaspur(C.G.) for the offence punishable under Section 407/34 of Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. No case is made out against these applicants. After completion of investigation, charge-sheet has been filed. The trial against the applicants is likely to take some time, hence, it is prayed that they may be released on regular bail.
4. Learned counsel for the respondent/State opposes the applications and submissions made in this respect.
5. Heard both the parties and perused the case diary.
6. The case against these applicants is this, that applicant No.1 Rakesh Kumar Kurre was Driver of Trailer bearing registration No. C.G.12-C-

2460 and applicant No.2 was Driver of trailer bearing registration No.C.G.12-C-2461. It is alleged that both the trailer drivers departed with load of coal from Coal Mines Dipka, which was destined for Raipur, but in between both of them unloaded the load of coal in Shanti Coal Depot of which the applicant Dinesh Kumar Dhruv is the Manager and instead they loaded sub-standard coal for transporting to the destination. Varun Singh Thakur, who is legal Officer of Hind Energy and Coal Benefication (India) Limited has lodged FIR against the applicants. Hence, this case.

7. Considered on the entire material present in the case diary, presently the case is before the trial Court and it appears that these applicants do not have any criminal antecedents. For this reason, I am of this view that this is a fit where applicants be released on regular bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is 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