

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5190 of 2018

- Ramlagan Pandey S/o Shri Ramavadh Pandey, Aged About 50 Years, R/o Chhagan Bhadwal Chal, Room No.43, Post Thana- Deisar, District Boriwali Mumbai- 68, Maharashtra., District : Mumbai, Maharashtra

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Ganj Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

MCRC No. 5096 of 2018

- Amarnath Bind S/o Late Shri Sevalal Bind, Aged About 31 Years, R/o Village- Barona Near Pond, Police Station Barda, Distirct- Ajamgarh, Uttar Pradesh, District : Azamgarh, Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Police Station- Ganj, Fafadih Chowk Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicants – Mr. Shikhar Sharma and Ms. Pushplata Khalkho, Advocates (in MCRC No.5190/2018),
Mr. Pawan Kesharwani, Advocate (in MCRC No.5096/2018).
For Non-applicant/State – Mr. Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-08-2018

1. As these two applications arise out of the same crime number, i.e., Crime No.65/2018 registered at P.S. Ganj, Raipur, District- Raipur, Chhattisgarh for the offence under Section 407, 408, 411, 413, 414, 120-B and 403 of the IPC, they are being decided by this common order.
2. These are first bail applications filed before this Court by the applicants under Section 439 of the Cr.P.C. for grant of regular bail. Applicant Ramlagan Pandey (applicant in MCRC No.5190/2018) has been arrested on 07-04-2018 and applicant Amarnath Bind (applicant in MCRC No.5096/2018) has been arrested on 29-05-2018 in connection with aforesaid crime number and

offence.

3. It is submitted on behalf of the applicants that the applicants have been falsely implicated in this case. Applicant Ramlagan Pandey is in jail since 07-04-2018 and applicant Amarnath Bind is in jail since 29-05-2018. No case is made out against these applicants. Similarly placed co-accused Nandlal Kishore Bind has been granted bail in MCRC No.3078/2018 by this Court vide order dated 02-07-2018. Charge sheet has been filed after completion of the investigation. Hence, it is prayed that these applicants may be granted regular bail.

4. Learned counsel for the State/non-applicant opposes the applications submitting that the applicants are part of a huge racket stealing the life saving medicines from medical companies and selling the same to other medicine producing companies. Hence, they are not entitled for grant of bail.

5. Heard learned counsel for the parties and perused the case diary.

6. Police personnel of P.S. Ganj, Raipur made seizure of 5 kg. suspicious powder from one Laxman Ram Bind. When the powder was examined by the FSL it was found to be Maglumine which is a raw material for manufacturing of medicines. These applicants have been arrested on the basis of their memorandum statement.

7. After due consideration on the material present in the case diary and also considering the fact that charge sheet has been filed, one co-accused has been granted bail by this Court, I feel inclined to grant regular bail to these applicants.

8. Consequently, both these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are 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 in the like

sum to the satisfaction of the concerned Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil