

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No.6115 of 2018**

K. Venkata Satyanarayan Raju, S/o. Shri Ram Raju, Aged About 35 Years,
R/o. Village Janjgir Tehsil Janjgir, District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Thana Sarangarh, District Raigarh
Chhattisgarh.

----Respondent**M.CR.C. No. 6123 of 2018**

1. Ajay Kumar Nagarchi, S/o. Shri Machheb Nagarchi, Aged About 23 Years, R/o. Village Navagaon, Tehsil Baloda, District Janjgir Champa Chhattisgarh.
2. Dineshvar Yadav @ Dinesh Yadav, S/o. Shri Jethuram Yadav, Aged About 36 Years, R/o. Village Navagaon Tehsil Baloda District Janjgir Champa Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Thana Sarangarh District Raigarh
Chhattisgarh.

----Respondent**AND****M.CR.C. No. 6197 of 2018**

Prakash Agrawal, S/o. Nagarmal Agrawal, Aged About 37 Years, R/o. Village Sonarpara, Sariya, P. S. Sariya Distt. Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through : Thana Sarangarh, District Raigarh
Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Mateen Siddiqui & Mr. Sanjay Agrawal, Advocates
For Respondent	:	Mr. Ashish Shukla, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

24/09/2018

1. All the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.

2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who has been arrested in connection with Crime No.299/2018, registered at Police Station – Sarangarh, District – Raigarh (C.G.) for the offence punishable under Section 3, 4 and 5 of Explosive Substance Act, 1908, Section 4 of Ammonium Nitrate Act, 2012, Section 9 (1) (b) of Explosive Act, 1984 and Section 420, 120(b) read with Section 34 of the Indian Penal Code.
3. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. No case is made out against them according to the material present in the charge-sheet. Similarly placed co-accused persons in this case have been enlarged on bail by this Court vide order dated 02.08.2018 in M.Cr.C. NO.4760/2018. Hence, it is prayed that these applicants may also be released on bail.
4. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect.
5. I have heard the learned counsel for the parties and perused the documents placed on record.
6. The case against the applicants are this that a raid was conducted by the police personnel of police station Sarangarh in one unknown premises, where explosive substances were being unloaded from one unknown truck by Khirsagar and Bedram and Prakash Agrawal applicant in M.Cr.C. No.6197/2018 was also present there. Explosive substance was seized and persons present there were arrested. During the investigation, it has been disclosed that applicant K. Venkata Satyanarayan Rahu had transacted the sale of explosive substance to one Rajesh Agrawal, which was seized from the spot and

the applicants in M.Cr.C. No.6123/2018 were named as the person present on the spot. Hence, they have been arrayed as an co-accused in this case.

7. Considered the submissions made and the contents of the case diary. After due consideration on all the material present on record, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed.
9. It is directed that the applicants shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge