

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6933 of 2018

- Ajjū @ Ajay Chakravarti S/o Shri Bansilal, aged about 28 Years R/o Radhakrishna Ward, Kumhar Mohalla Jabalpur, Madhya Pradesh, P.S. Present R/o Mahima Nagar, Cirkitti In The House of Cirkitti Nirmala Mishra District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station- Torwa, District- Bilaspur, Chhattisgarh.

---- Respondent

AND

MCRC No. 7123 of 2018

- Mohd Akeel Qureshi S/o Late Iqbal Qureshi, aged about 20 Years R/o Ward No.- 3, Chandni Chowk, Baihar Road, In Front Kamal Medical Street, Balaghat, Madhya Pradesh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station- Torwa, Bilaspur, Chhattisgarh.

---- Respondent

AND

MCRC No. 7124 of 2018

- Dinesh Damahe S/o Roop Singh Damahe, aged about 31 Years R/o Fulchur, Ambroli, Gondia Maharashtra, Present Address Jairamnagar, Police Station Masturi, District -Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Torwa, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant (In MCRC No. 6933/2018)	: Ms. Shivali Dubey, Advocate.
For Applicant (In MCRC No. 7123/2018)	: Shri Sandeep Shrivastava, Adv.
For Applicant (In MCRC No. 7124/2018)	: Shri Nitesh Shrivastava, Advocate.
For Respondent/State	: Shri UKS Chandel, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/10/2018

1. Heard.
2. Since all the three cases arise out of same Crime No., therefore, they are being disposed of by this common order.
3. The applicants have preferred their first bail applications under Section 439 of Cr.P.C. for grant of regular bail as they are arrested in connection with crime No. 299/2018, registered at Police Station – Torwa, District- Bilaspur, (C.G.) for the offence punishable under Sections 380, 379 of IPC (In MCRC No. 6933/2018), under Sections 380, 379 of IPC (In MCRC No. 7123/2018) & under Sections 457, 380, 411/34 of IPC (In MCRC No. 7124/2018).
4. As per the prosecution story, on 16.07.2018, Complainant Raju Khatik lodged a report wherein it has been alleged that some unknown person robbed the house of the Complainant and took gold-silver jeweleries and sum of Rs. 2 Lakhs. On the basis of the said report, offence has been registered. During course of investigation, on the basis of memorandum statement of accused/Applicants namely Ajju @ Ajay, one motorcycle and a gold ring has been seized from his possession, a gold chain worth Rs. 36,000/- and sum of Rs. 6,000/- has been seized from Applicant Md. Akeel Qureshi and other gold articles and one mobile has been seized from Applicant Dinesh Damahe. They have been taken into custody on 31.08.2018 (In MCRC No. 6933/2018), 24.07.2018 (In MCRC No. 7123/2018) and 16.07.2018 (In MCRC No. 7124/2018).

5. Learned Counsel appearing on behalf of the Applicants submits that the Applicants are innocent and have been falsely implicated in the case. They further submit that the Applicants have no criminal antecedent, they are in custody since 31.08.2018 (In MCRC No. 6933/2018), 24.07.2018 (In MCRC No. 7123/2018) and 16.07.2018 (In MCRC No. 7124/2018) and trial will take some time. Therefore, they may be released on bail.
6. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
7. I have heard learned Counsel for the parties and perused the case diary.
8. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicants have no criminal antecedent, they are in custody since 31.08.2018 (In MCRC No. 6933/2018), 24.07.2018 (In MCRC No. 7123/2018) and 16.07.2018 (In MCRC No. 7124/2018) and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
9. Accordingly, the bail application is allowed.
10. It is directed that the applicants shall be released on bail on each of them executing personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for their appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge