

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7165 of 2018

Piyush Tiwari, S/o. Shri Basant Tiwari, Aged About 35 Years, R/o. Tikrapara, Raipur, Police Station- Tikrapara, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through The District Magistrate, Surajpur, District- Surajpur, Chhattisgarh.

---- Respondent

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MCRC No. 7234 of 2018

Roopa Tiwari, W/o. Shri Piyush Tiwari, Aged About 30 Years, R/o. Tikrapara, Raipur, P.S. Tikrapara, District- Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through the District Magistrate, Surajpur, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Pragalbha Sharma, Advocate

For Respondent-State : Mr. D.R.Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09.10.2018

- Both the bail applications are being decided by this common order as they are arising out of the same crime number.
- Both are the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants in connection with Crime No. 58 of 2013 registered at Police Station- Jainagar, District Surajpur (CG) for the offence punishable under Section 420 read with Section 34 of the Indian Penal Code.
- As per the prosecution case, the applicants have allured different people to provide them job in the police department in 2010-11 and obtained

different amount to the extent to Rs.2 Lakhs; thereby the offence has been committed.

4. Learned counsel for the applicants submits that the FIR was registered pursuant to the complaint made under Section 156(3) of Cr.P.C. and no direct FIR has been made and the alleged allegation is way back of the year 2011 and the direction was made in the year 2013. He further submits that the applicants were arrested on 30.08.2018, the charge sheet has been filed and no further investigation is necessary; therefore, the applicants may be released on bail.
5. Per contra, learned State counsel opposes the prayer for grant of bail.
6. Perused of the case-diary and the documents. Considering the facts and circumstances of the case and the fact that charge sheet has been filed, no further investigation is necessary and the offences are triable by the JMFC, I am inclined to release the applicants on bail.
7. Accordingly, the bail applications filed under Section 439 of Cr.P.C. are allowed.
8. It is directed that the applicants shall be released on bail on 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.

Sd/-
(Goutam Bhaduri)
Judge