

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7267 of 2018

- Navin Agrawal S/o Late Shri Amrit Agrawal Aged About 29 Years R/o Narsingh Ward No. 12, Dongargarh, Police Station And Tahsil- Dongargarh, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- Dongargarh, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No. 7462 of 2018

- Poonam Agarwal S/o Late Ram Prasad Agarwal Aged About 49 Years R/o Patel Ward No. 17, Dongargarh, P. S. And Tehsil Dongargarh District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through S. H. O. Police Station Dongargarh District Rajnandgaon Chhattisgarh, District : Rajnandgaon, Chhattisgarh

---- Respondent

MCRC No. 7510 of 2018

- Annu @ Anil Agrawal S/o Late Murlidhar Agrawal Aged About 53 Years
R/o Narsingh Ward No.-12, Dongargarh, Tahsil- Dongargarh, District-
Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgahr Through Police Station- Dongargarh, District-
Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicants : Mr. Awadh Tripathi, Advocate in MCRC
No.7267/2018.

Mr. Anurag Khattri, Advocate in MCRC
No.7462/2018.

For Respondent/State : Mr. Manoj Paranjpe, Advocate in MCRC
No.7510/2018.
Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

08/10/2018

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.405/2015 registered at Police Station-
Dongargarh, District – Rajnandgaon(C.G.) for the offence punishable
under Sections 147, 186, 353, 427, 294 & 506 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. They have surrendered before the trial Court and they are in jail since 17.9.2018. the co-accused persons in this case have been granted anticipatory bail. No case is made out against these applicants and further charge-sheet has also been filed before the trial Court and no purpose would be served if the applicants are kept in detention till the conclusion of trial. 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 of prosecution is this, that on the date of incident these applicants along with fifty other persons committed the trespass in the office of Municipal Council, Dongergarh, where the complainant Rajendra Patre performing his duty as Chief Municipal Officer. It is alleged that these applicants and the other co-accused persons abused the complainant, caused mischief to the property in the office and also assaulted and manhandled the complainant and thus deterred him from performing his official duty. Hence, this case.
7. After due consideration on the entire material present in the case diary, and that the case is before the trial Court, there is no requirement of continued detention of the applicants and also for the reason that they themselves have surrendered before the concerned Court, for these reasons, 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

Nisha