

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8094 of 2017

1. Muneshwar @ Munusu S/o Sukhram Aged About 49 Years Caste Rajwar, R/o Village Kailashpur, P. S. Jaynagar, Tahsil And District Surajpur Chhattisgarh, Chhattisgarh
2. Ghuran Ram S/o Devlal Aged About 46 Years Caste Rajwar, R/o Village Kailashpur, P. S. Jaynagar, Tahsil And District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh
3. Nemsay S/o Budhan Ram Aged About 40 Years Caste Rajwar, R/o Village Kailashpur, P. S. Jaynagar, Tahsil And District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh
4. Rukhmani D/o Amarsay, Aged About 43 Years Caste Rajwar, R/o Village Kailashpur, P. S. Jaynagar, Tahsil And District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through The Station House Officer, Police Station Jaynagar, Tahsil And District Surajpur Chhattisgarh, Chhattisgarh

---- Respondent

For Applicant : Mr. Punit Ruparel, Advocate.
For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/03/2018

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.182/2017, registered at Police Station– Jaynagar, District Surajpur (C.G.) for the offence punishable under Sections 420, 419, 467, 468, 471 and 409/34 of the

Indian Penal Code.

2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants No.1, 2 & 3 are in jail since 25.10.2017 whereas applicant No.4 is in jail since 22.11.2017. They are local residents of District Surajpur and ready to abide by all the conditions and directions, which may be imposed while granting bail to them. After completion of investigation, charge-sheet has been filed against them and the case is triable by JMFC. It is also submitted that co-accused Doman Rajwade has been granted bail by this Court in MCRC No.7934 of 2017 vide order dated 27.2.2018. Hence, it is prayed that applicants be also granted regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the case of co-accused Deman Rajwade, who has been enlarged on bail, is completely different and present applicants' being the beneficiaries of fraud & forgery committed in this case stand on different footings and therefore they cannot claim parity with said co-accused. Hence, they are not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. A complaint was made by one Hargovind alleging that these applicants have obtained job in S.E.C.L. by deliberately submitting false information that they are siblings of one Deman Rajwade whose land was acquired by the SECL, and being so, they come within the category of displaced persons and thus were entitled to get job in the SECL. On the aforesaid allegations, FIR was registered against the applicants. Hence this case.

6. Considering the material present in the case diary and further considering the fact that the trial is likely to take some time for its conclusion and no purpose would be served by keeping the applicants in jail till the conclusion of trial, I am of this view that it is a fit case for grant of bail.
7. 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