

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 118 of 2019

- Himanshu Sawadiya, S/o Satish Sawadiya, aged about 29 Years, R/o Village-Santoshi Nagar, E-Rikshaw Show Room Ram Motors, Boriya Road, Raipur Tahsil & District-Raipur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Raigarh Civil & Revenue District-Raigarh Chhattisgarh.

---- Respondent

&

MCRC No. 366 of 2019

- Shubham Kumar Patel S/o Shri Gopichand Patel Aged About 23 Years Occupation Student R/o Village Dhana Tarai, Post Bade Hardi ,tahsil And District Raigarh Chhattisgarh.At Present R/o Moti Nagar Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station City Kotwali Raigarh ,civil And Revenue District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh

---- Respondent

For Applicants	:	Mrs. Seema Singh & Mr. R.S. Patel, Advocates.
For Respondent/ State	:	Mr. I. Lakda, Dy. Govt. Advocate.

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

22/02/2019

1. Since the above bail applications arise out of the same chain of incidents and same crime number, they are being heard and decided together by this common order.
2. Applicant in M.Cr.C(A) No. 118/2019 has filed this application seeking anticipatory bail as he apprehends his arrest in connection with Crime No.1508/2018 registered at Police Station-City Kotwali, Civil & Revenue District-Raigarh for the offence punishable under Sections 408, 420, 467, 468 & 471/34 Indian Penal Code (for short 'IPC').
3. Applicant in M.Cr.C. No.366/2019 has filed this application seeking regular bail as he has been arrested in connection with Crime No.1508/2018 registered at Police Station-City Kotwali, District-Raigarh (CG) for the offence punishable under Sections 408, 420, 467, 468, 471, 34 of the Indian Penal Code (for short 'IPC').
4. Learned counsel for applicants submitted that applicants have been falsely implicated in this case. No case is made out against them. Name of these applicants did not find place either in the FIR or the statements of witnesses of this case. Hence, it is prayed that they may be released on regular/anticipatory bail.
5. Learned State counsel opposes the bail application and submissions made in this respect.
6. Heard both the parties and perused the case diary.
7. The allegation is mainly against one Arun Kumar Singh that he with the help of his associates used to make duplicate ear-phone in packing by affixing stickers etc. of the other manufacturers and the same was being sent to the mother-hub. It is alleged in this case co-accused Arun

Kumar Singh has caused loss of Rs.16,64,100/- to the company.

Hence, this case.

8. After considering on the entire material present on record and looking to the evidence that is proposed against these applicants, I am of this view that this is a fit case where the respective applications filed by the applicants are deserve to be allowed.
9. Accordingly, the anticipatory bail application filed on behalf of applicant is allowed and it is directed that in the event of his arrest in connection with the aforesaid offences, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/-with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

10. Bail applications filed on behalf of applicant i.e. M.Cr.C. No. 366/2019

is also allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha