

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1492 of 2019

- Pritam Singh S/o Padum Singh Aged About 40 Years R/o Village Tikripara, Takhatpur District Bilaspur Chhattisgarh.

---- Applicant

Versus

1. Pramod Singh @ Golu S/o Bihari Aged About 25 Years R/o Village Kodwabani, Police Station Lalpur, District Mungeli Chhattisgarh.
2. State Of Chhattisgarh Through Police Station- Lalpur, District Mungeli Chhattisgarh.

---- Respondents

AND

MCRC No. 1483 of 2019

- Nemin Bai W/o Ramesh Singh Thakur Aged About 50 Years R/o Village Tikripara, Takhatpur, Police Station - Takhatpur, District Bilaspur Chhattisgarh.

---- Applicant

Versus

1. Pramod Singh @ Golu S/o Bihari, Aged About 25 Years R/o Village Kodwabani, Police Station Lalpur, District Mungeli Chhattisgarh.
2. State Of Chhattisgarh Through Police Station Lalapur, District Mungeli Chhattisgarh.

---- Respondents

For Applicant (in MCRC NO. 1492/2019) : Mr. Ravindra Sharma, Advocate.
For Applicant (in MCRC NO. 1483/2019) : Mr. Ravindra Sharma, Advocate.
For Respondent/State : Mrs. Smita Ghai, P.L.
For Objector : Mr. Sunil Sahu, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

07/05/2019

1. Since, both the cases relates to same Criminal Complaint Case Number 1452/2015, therefore, they are being disposed of by this common order.
2. The Applicants have preferred these first bail applications under Section 439 of Cr.P.C. for grant of regular bail, as they are arrested in connection with Criminal Complaint Case Number 1452/2015, registered at Police Station Lalpur, District- Mungeli (C.G.) for the offence punishable under Sections 147, 454, 294, 506 Part-II, 323/149, 461/149, 427/149 & 395 of the IPC pending before the JMFC, Mungeli (C.G.)
3. In this case there are total 10 accused persons. As per prosecution story, complainant of the case namely Pramod Singh @ Golu son-in-law of co-accused Ashok Singh has filed a complainant case before the JMFC, Mungeli (C.G.) stating therein that his marriage with the daughter of co-accused Ashok Singh was solemnized on 18.04.2014, due to some dispute between them, wife of the complainant left him and also she has lodged a report against the complainant and others. Thereafter, when the complainant and others granted anticipatory bail by the Sessions Court, co-accused Ashok Singh felt anguished and enraged, who then came along with the present applicants and 15-20 persons to the residence of the complainant on 19.09.2014, therein by breaking the door of the house of the complainant, they all have committed house trespass, abused,

threatened, assaulted and thrashed the inmates of the house. It was further alleged that they broke and open the almirahs and took away jeweleries, clothes, cash and other things with them. After the registration of said criminal complainant case, the applicants have been arrested on 07.02.2019.

4. Learned Counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the case. False and concocted allegations have been made against both the applicants. He further submits that the case was initiated by the complainant as a counter blast of filing of complainants under Section 498 A and 323 B of the IPC against the complainant. Co-accused of the case Smt. Santoshi and Bhagwati Bai have already granted benefit of anticipatory bail by this Court vide order dated 20.08.2018 passed in MCRCA No. 1220/2016. The applicants are in custody since 07.02.2019 and trial is likely to take some time. Therefore, the applicants may be released on bail.
5. Per contra, learned Counsel appearing on behalf of the State and objector opposes the bail applications.
6. I have heard learned Counsel for the parties and perused the case diary with due care.
7. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicants are in custody 07.02.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicants on bail.
8. Accordingly, the bail applications are allowed.

9. It is directed that the applicants shall be released on bail on each of them executing a 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

Shubham