

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3966 of 2019

1. Ranjeet Singh S/o Late Shri Avdhesh Pratap Singh, Aged About 40 Years, R/o House No.H-1/3, G.A.D. Colony, Kachna Raipur, Tahsil and District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Mandir Hasaud Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

MCRC No. 4384 of 2019

1. Ku. Renuka Sahu D/o Shri Kartik Ram Sahu, Aged About 23 Years, R/o Near Old Durga Temple, Rajatalab, Police Station- Civil Lines, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station- Mandir Hasaud, Civil and Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

MCRC No. 4470 of 2019

1. Suraj Yadav S/o Shri Nandkumar Yadav, Aged About 23 Years, R/o Infront of Gurudwara, Near Krishna Temple, Shyam Nagar, P.S. Telibandha, Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Mandir Hasaud, Civil and Revenue District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

--- Non-applicant

For Applicant – Shri Arvind Shrivastava, Advocate (in MCRC No.3966 of 2019),
Shri Mayank Chandrakar, Advocate (in MCRC No.4384 of 2019 and MCRC No.4470 of 2019).

For Non-applicant/State – Shri Ghanshyam Patel, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

30-07-2019

1. As these three applications arise out of the same crime number, i.e., Crime No.194/19 registered at P.S. Mandir Hasaud, District Raipur, Chhattisgarh, for offence under Section 170, 394 & 120-B of the IPC, they are being decided by this common order.

2. These applications have been filed under Section 439 of the Cr.P.C. by

the applicants for grant of regular bail as they have been arrested in connection with aforesaid crime number and offence. Applicant Ranjeet Singh has been arrested on 03-05-2019 and applicants Ku. Renuka Sahu and Suraj Yadav have been arrested on 04-05-2019.

3. It is submitted by learned counsel for applicants in all the cases that the applicants have been falsely implicated in this case. The fact is this, that applicant Ku. Renuka Sahu (applicant in MCRC No.4384 of 2019) had approached complainant Dilip Kumar Kanwar for placement as Data Entry Operator. The complainant had talked for placement with applicant Ku. Renuka Sahu and also had exploited her physically. Thereafter, on 02-05-2019 the complainant herself called applicant Ku. Renuka Shau in front of Magneto Mall and took her to Naya Raipur for a ride. When applicant Ku. Renuka Sahu found out that the intention of the complainant was not good she informed her uncle about the same, because of which co-accused persons, applicants Ranjeet Singh (applicant in MCRC No.3966 of 2019) and Suraj Yadav (applicant in MCRC No. 4470 of 2019) arrived in Naya Raipur and stopped the car in which applicant Ku. Renuka Sahu was present with the complainant and gave advice to the complainant. Subsequently, the complainant has lodged false FIR a day after on 03-05-2019. Applicant Ranjeet Singh is in jail since 03-05-2019 and applicants Ku. Renuka Sahu and Suraj Yadav are in jail since 04-05-2019. Therefore, it is prayed that these applicants may be granted bail.

4. Learned counsel for the State/non-applicant opposes the applications and submits that the story of the case is different, applicant Ku. Renuka Sahu had herself asked the complainant to take her in ride to Naya Raipur and thereafter co-accused persons followed and stopped them in Naya Raipur. The complainant was then threatened by the persons and his car, RC book etc. were looted by them. Therefore, no case is made out for grant of regular bail to the applicants.

5. Heard learned counsel for the parties and perused the case diary.

6. According to the prosecution case, when complainant Dilip Kumar Kanwar was in Naya Raipur with applicant Ku. Renuka Sahu, the applicants Ranjeet Singh and Suraj Yadav stopped his car and posing themselves as officers of Crime Branch started interrogating the complainant. After threatening the complainant all of them forcefully took over the car and papers of the complainant and all of them came to Moti Bagh Raipur. The complainant was then forced to sign Form No.29 and 30 and in this way the car in his possession was looted by them. Hence, this case.

7. Considered on all the material present in the case diary. This appears to be peculiar case. A defence has been raised by the applicants side that the car had been handed over to the applicants by the complainant himself for the reason that he had illegally obtained some money from applicant Ku. Renuka Sahu on the pretext that he will get her placed in a job. Applicant Ranjeet Singh is in jail since 03-05-2019 and applicants Ku. Renuka Sahu and Suraj Yadav are in jail since 04-05-2019. There appears to no criminal antecedent of the applicants in all the applications and also for the reason that the case is now pending for trial, therefore, I feel inclined to allow all these applications.

8. Consequently, all these three applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge