

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3987 of 2019

Deepak Yadav, S/o. Kumar Yadav, Aged About 24 Years, R/o. Village Chandrakhuri, Baitalpur, Tahsil -Pathariya, Thana - Sargaon, District Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station -Bhatapara City, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

M.CR.C. No. 4005 of 2019

Deepak Yadav, S/o. Kumar Yadav, Aged About 24 Years, R/o. Village Chandrakhuri, Baitalpur, Tahsil -Pathariya, Thana - Sargaon, District Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station -Bhatapara City, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 4023 of 2019

Deepak Yadav, S/o. Kumar Yadav, Aged About 24 Years, R/o. Village Chandrakhuri, Baitalpur, Tahsil -Pathariya, Thana - Sargaon, District Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station -Bhatapara City, District Baloda Bazar-Bhatapara Chhattisgarh.

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/09/2019

1. All the bail applications are heard and decided together by this common order as they are arising out of the similar type of the incident.
2. These are the first bail applications filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.140/2019, for the offence punishable under Section 379, 420, 468, 471/34, in Crime No.180/2019, for the offence punishable under Section 379, 420, 468, 471/34 and in Istegasa/Crime No.02/2019, for the offence punishable under Section 41 (1-4) of Cr.P.C. and 379, 420, 468, 471, 411/34 of Indian Penal Code, all registered at Police Station – Bhatapara City, District – Baloda Bazar – Bhatapara (C.G.).
3. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 07.05.2019. Charge-sheet in this cases has been filed after completion of investigation in all the cases. Therefore, it is prayed that the applicant may be enlarged on regular bail.
4. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there are number of cases of theft and forgery against the applicant, therefore, he is not entitled to be released on bail.

5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, in Crime No.140 of 2019, FIR was lodged regarding theft of motor cycle bearing No.C.G.-22-0448. During the investigation, the motor cycle was seized from one co-accused Sunil Kumar at the instance of this applicant.

In Crime No.180 of 2019, FIR was lodged regarding theft of motor cycle bearing No.C.G.-04KQ-0501. At the instance of the applicant, the same was recovered and seized from the possession of one co-accused Chain Singh.

In Istegasa/Crime No.02 of 2019, 7 motor cycles have been seized from the possession of different accused persons at the instance of this applicant.

7. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, it appears that the applicant is habitually committing such offence, but the reason that the case is now pending for trial and the no purpose would be served, if the applicant is kept in detention till the conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, all the bail application filed under Section 439 of the Cr.P.C. is allowed.

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

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram