

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4852 of 2019

Hari Charan, S/o. Ramji, Aged About 26 Years, R/o. Ghantadwari, P.S. Urga,
District- Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Pamgarh, District-
Janjgir-Champa, Chhattisgarh.

---- Respondent

AND

M.CR.C. No. 4915 of 2019

Prakash Chand Kurre, S/o. Yendram Aged About 29 Years, Caste -Satnami,
R/o Village Patadi, Thana Urga, Tahsil Korba, District Korba Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station -Pamgarh, District Janjgir
Champa Chhattisgarh.

---- Respondent

For Applicant (In M.Cr.C. No.4852/2019	: Mr. Ajay Ayachi, Advocate
For Applicant (In M.Cr.C. No.4915/2019	: Mr. Vikash Pandey, Advocate
For Respondent/State	: Mr. Jitendra Shrivastava, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

21/08/2019

1. Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and 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 applicants, who have been arrested in connection with Crime No.174/2019, registered at Police Station – Pamgarh, District – Janjgir-Champa (C.G.) for the offence punishable under Section 454, 380, 419, 34 of the Indian Penal Code.
3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. The applicants are in jail since 27.03.2019. These applicants have not committed any offence. This case has been registered on the basis of one memorandum statement given by these applicants in another case. The applicants have been granted bail in another case on the same memorandum by the Coordinate Bench of this Court. Therefore, it is prayed that the applicants may also 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 looking to the number of cases registered against the applicants, they are not entitled for grant of bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, the applicants in both the cases impersonated as officers of Indira Awas project and on the pretext of taking photographs of complainant Bhukhin Bai, asked her to remove her necklace and keep it aside. Later on the complainant was found that her necklace was stolen. After lodging of FIR, the said necklace have been recovered from the possession of these applicants.

7. Considered on the submissions made and the contents of the case diary. After considering all the facts and circumstances of the case and for the reason that now charge-sheet in this case has been filed and the case is pending for trial and in the similar case, these applicants have been granted bail by the Coordinate Bench of this Court, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
8. Accordingly, both the bail applications filed under Section 439 of the Cr.P.C. are allowed.
9. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge